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House Amendment 1501

PAG LIN

1 1 Amend Senate File 406, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 24, by striking lines 10 through 21 and
1 4 inserting:
1 5 <NEW SUBSECTION. 7. An insurance producer's duties
1 6 and responsibilities to an insured shall be limited to
1 7 the use of reasonable care, diligence, and judgment in
1 8 procuring the insurance requested by the insured unless
1 9 the insurance producer does any of the following:
1 10 a. Holds oneself out as an insurance specialist,
1 11 consultant, or counselor and receives compensation for
1 12 consultation and advice apart from commissions paid by
1 13 an insurer.
1 14 b. Expressly agrees with the insured to provide
1 15 advice or services beyond procuring insurance requested
1 16 by the insured.
1 17 c. Makes representations or statements to
1 18 the insured without a reasonable basis for such
1 19 representations or statements, and the insured
1 20 reasonably relies upon the representations or
1 21 statements to the insured's detriment.>

GARRETT of Warren
SF406.2197 (1) 84
av/sc



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House Amendment 1502

PAG LIN

1 1 Amend Senate File 512, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. TRANSFER AUTHORIZATION ==== STATE PUBLIC
1 6 DEFENDER.
1 7 1. Notwithstanding section 8.39, subsection 2,
1 8 while the general assembly is in regular session, the
1 9 director of the department of management, with the
1 10 approval of the governor, may make an interdepartmental
1 11 transfer from any other department, institution, or
1 12 agency of the state having an appropriation in excess
1 13 of its needs, of sufficient funds to supplement the
1 14 following appropriations made to the office of the
1 15 public defender of the department of inspections and
1 16 appeals, in order to meet the obligations incurred
1 17 under the appropriations:
1 18 a. For the office of the state public defender, in
1 19 2010 Iowa Acts, chapter 1190, section 10, subsection 1.
1 20 b. For the fees of court-appointed attorneys for
1 21 indigent adults and juveniles, in accordance with
1 22 section 232.141 and chapter 815, in 2010 Iowa Acts,
1 23 chapter 1190, section 10, subsection 2.
1 24 2. A transfer made under this section is subject to
1 25 the reporting requirements applicable to transfers made
1 26 under section 8.39.
1 27 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being
1 28 deemed of immediate importance, takes effect upon
1 29 enactment.>
1 30 #2. Title page, line 1, by striking <making
1 31 supplemental appropriations> and inserting <authorizing
1 32 appropriation transfers>
1 33 #3. By renumbering as necessary.

COMMITTEE ON APPROPRIATIONS
RAECKER of Polk, Chairperson
SF512.2102 (3) 84
jp/tm



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House Amendment 1503

PAG LIN

1	1	Amend House File 561 as follows:
1	2	#1. Page 6, line 4, after <board.> by inserting
1	3	<Costs incurred but not approved by the board as part
1	4	of the previous annual application, if such costs are
1	5	determined prudent by the board, shall be recovered
1	6	over the useful life of the nuclear unit, and shall not
1	7	be recovered during the period of construction.>

ISENHART of Dubuque
HF561.2177 (1) 84
rn/nh



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House Amendment 1504

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1 1 Amend House File 591 as follows:

1 2 #1. By striking everything after the enacting clause
1 3 and inserting:

1 4 <Section 1. Section 459.501, subsections 1, 3, and
1 5 5, Code 2011, are amended to read as follows:

1 6 1. A ~~manure storage indemnity~~ livestock remediation
1 7 fund is created as a separate fund in the state
1 8 treasury under the control of the department. The
1 9 general fund of the state is not liable for claims
1 10 presented against the fund.

1 11 3. a. The moneys collected under this section
1 12 shall be deposited in the fund and shall be
1 13 appropriated to the department for the following
1 14 exclusive purpose of providing purposes:

1 15 (1) To provide moneys for cleanup of abandoned
1 16 facilities as provided in section 459.505, and to pay
1 17 the department for costs related to administering the
1 18 provisions of this subchapter. For each fiscal year,
1 19 the department shall not use more than one percent of
1 20 the total amount which is available in the fund or ten
1 21 thousand dollars, whichever is less, to pay for the
1 22 costs of administration.

1 23 (2) To allocate moneys to the department of
1 24 agriculture and land stewardship for the payment of
1 25 expenses incurred by the department of agriculture and
1 26 land stewardship associated with providing for the
1 27 sustenance and disposition of livestock in immediate
1 28 need of sustenance pursuant to chapter 717. The
1 29 department of natural resources shall allocate any
1 30 amount of unencumbered and unobligated moneys demanded
1 31 in writing by the department of agriculture and land
1 32 stewardship as provided in this subparagraph. The
1 33 department of natural resources shall complete the
1 34 allocation upon receiving the demand.

1 35 b. Moneys in the fund shall not be subject to
1 36 appropriation or expenditure for any other purpose than
1 37 provided in this section.

1 38 5. The following shall apply to moneys in the fund:

1 39 a. (1) The executive council may allocate moneys
1 40 from the general fund of the state as provided in
1 41 section 7D.10A in an amount necessary to support the
1 42 fund, including the following:

1 43 (a) The payment of claims as provided in section
1 44 459.505.

1 45 (b) The allocation of moneys to the department
1 46 of agriculture and land stewardship for the payment
1 47 of expenses incurred by the department of agriculture
1 48 and land stewardship associated with providing for the
1 49 sustenance and disposition of livestock pursuant to
1 50 chapter 717.



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2 1 (2) ~~However, an~~ Notwithstanding subparagraph (1),
2 2 the allocation of moneys from the general fund of the
2 3 state shall be made only if the amount of moneys in the
2 4 fund, which are not obligated or encumbered, and not
2 5 counting the department's estimate of the cost to the
2 6 fund for pending or unsettled claims, the amount to be
2 7 allocated to the department of agriculture and land
2 8 stewardship, and any amount required to be credited to
2 9 the general fund of the state under this subsection, is
2 10 less than one million dollars.

2 11 b. The department of natural resources shall credit
2 12 an amount to the general fund of the state which
2 13 is equal to an amount allocated to the fund by the
2 14 executive council under paragraph "a". The department
2 15 shall credit the moneys to the general fund of the
2 16 state if the moneys in the fund which are not obligated
2 17 or encumbered, and not counting the department's
2 18 estimate of the cost to the fund for pending or
2 19 unsettled claims, the amount to be allocated to the
2 20 department of agriculture and land stewardship, and
2 21 any amount required to be transferred to the general
2 22 fund under this paragraph, are in excess of two million
2 23 five hundred thousand dollars. The department is not
2 24 required to credit the total amount to the general fund
2 25 of the state during any one fiscal year.

2 26 Sec. 2. Section 579A.2, subsection 5, Code 2011, is
2 27 amended to read as follows:

2 28 5. a. ~~Except as provided in this paragraph, a A~~
2 29 custom cattle feedlot lien that is perfected under
2 30 this section is superior to and shall have priority
2 31 over a conflicting lien or security interest in the
2 32 cattle, including a lien or security interest that was
2 33 perfected prior to the perfection of the custom cattle
2 34 feedlot lien. ~~However~~

2 35 b. Notwithstanding paragraph "a", a custom cattle
2 36 feedlot lien shall not be superior to a court-ordered
2 37 lien provided in section 717.4 or a veterinarian's
2 38 lien created under chapter 581, that if such lien
2 39 is perfected as an agricultural lien as provided in
2 40 chapter 554, article 9.

2 41 ~~b.~~ c. A custom cattle feedlot lien that is
2 42 effective but not perfected under this section has
2 43 priority as provided in section 554.9322.

2 44 Sec. 3. Section 579B.4, subsection 4, paragraph a,
2 45 Code 2011, is amended to read as follows:

2 46 a. (1) ~~Except as provided in this paragraph, a A~~
2 47 commodity production contract lien that is perfected
2 48 under this section is superior to and shall have
2 49 priority over a conflicting lien or security interest
2 50 in the commodity, including a lien or security interest



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3 1 that was perfected prior to the perfection of the
3 2 commodity production contract lien under this chapter.

3 3 ~~However~~

3 4 (2) Notwithstanding subparagraph (1), a commodity
3 5 production contract lien shall not be superior to a
3 6 court ordered lien provided in section 717.4 or a
3 7 veterinarian's lien created under chapter 581, ~~that~~ if
3 8 such lien is perfected as an agricultural lien.

3 9 Sec. 4. Section 581.2, subsection 2, Code 2011, is
3 10 amended to read as follows:

3 11 2. a. A veterinarian's lien that is perfected
3 12 under section 581.3 shall have priority over any
3 13 conflicting security interest or lien in livestock
3 14 treated by a veterinarian, regardless of when such
3 15 security interest or lien is perfected.

3 16 b. Notwithstanding paragraph "a", a veterinarian's
3 17 lien shall not be superior to a court ordered lien
3 18 provided in section 717.4, if such lien is perfected as
3 19 an agricultural lien.

3 20 Sec. 5. Section 717.1, Code 2011, is amended by
3 21 adding the following new subsections:

3 22 NEW SUBSECTION. 01. "Department" means the
3 23 department of agriculture and land stewardship.

3 24 NEW SUBSECTION. 001. "Electronic mail" means any
3 25 message transmitted through the internet including but
3 26 not limited to messages transmitted from or to any
3 27 address affiliated with an internet site.

3 28 Sec. 6. NEW SECTION. 717.3 Livestock in immediate
3 29 need of sustenance === court order.

3 30 1. This section applies only to livestock which are
3 31 cattle, sheep, swine, or poultry.

3 32 2. For purposes of this section, "interested person"
3 33 means all of the following:

3 34 a. An owner of the livestock.

3 35 b. A person caring for the livestock, if different
3 36 from the owner of the livestock.

3 37 c. A person holding a perfected agricultural lien
3 38 or security interest in the livestock under chapter
3 39 554.

3 40 3. The department may determine that some or all
3 41 of the livestock kept by a person are in immediate
3 42 need of sustenance. Upon making the determination the
3 43 department may file a petition with a district court
3 44 in a county where some or all of the livestock are
3 45 kept requesting the court to issue an order to provide
3 46 sustenance of the livestock. The petition may be made
3 47 separately or with a petition filed pursuant to section
3 48 717.5. The petition must at least include all of the
3 49 following:

3 50 a. A statement signed by a veterinarian licensed



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4 1 pursuant to chapter 169 stating that the livestock are
4 2 in immediate need of sustenance.
4 3 b. The address of each location where the livestock
4 4 are kept.
4 5 c. A brief description of the livestock.
4 6 d. The name and address of each interested person,
4 7 if known.
4 8 e. The name and address of each qualified person
4 9 appointed by the department to provide sustenance to
4 10 the livestock.
4 11 4. Upon receiving the petition, the court may do
4 12 any of the following:
4 13 a. Notify any interested person that the petition
4 14 has been filed with the court. The notification must
4 15 be made in writing and may be delivered by ordinary,
4 16 certified, or restricted certified mail by United
4 17 States postal service; delivered by a common carrier;
4 18 or transmitted by electronic mail.
4 19 b. Hold a hearing to determine whether the
4 20 livestock are in immediate need of sustenance.
4 21 5. If the court determines that the livestock are
4 22 in immediate need of sustenance, the court shall issue
4 23 an order which at least declares all of the following:
4 24 a. That the livestock are in immediate need of
4 25 sustenance.
4 26 b. That the department shall assume supervision of
4 27 and provide for the sustenance of the livestock and as
4 28 provided in section 717.4.
4 29 c. That a lien is created attaching to the
4 30 livestock and associated proceeds and products as
4 31 provided in section 717.4.
4 32 6. The department shall assume supervision of
4 33 the livestock as provided in the court order. The
4 34 department may directly provide for the sustenance of
4 35 the livestock or appoint a qualified person to provide
4 36 for such sustenance.
4 37 Sec. 7. NEW SECTION. 717.4 Livestock in immediate
4 38 need of sustenance ==== lien.
4 39 1. This section applies to a lien created by a
4 40 court order entered pursuant to section 717.3 or 717.5.
4 41 The court ordered lien is an agricultural lien subject
4 42 to chapter 554 except as otherwise provided in this
4 43 section.
4 44 2. The court ordered lien shall be for the benefit
4 45 of the department. The amount of the lien shall be not
4 46 more than expenses incurred in providing sustenance to
4 47 the livestock pursuant to section 717.3 and providing
4 48 for the disposition of the livestock pursuant to
4 49 section 717.5.
4 50 3. The court ordered lien shall attach to the



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5 1 livestock, identifiable proceeds from the disposition
5 2 of the livestock, and products from the livestock in
5 3 the products' unmanufactured states.
5 4 4. The court ordered lien becomes effective on the
5 5 date that the court order is entered. To perfect the
5 6 lien, the department must file a financing statement
5 7 in the office of the secretary of state as provided
5 8 in sections 554.9308 and 554.9310 on or after but not
5 9 later than twenty days after the effective date of
5 10 the lien. For purposes of chapter 554, article 9,
5 11 the department is a secured party; the owner of the
5 12 livestock is a debtor; and the livestock and associated
5 13 proceeds and products as provided in subsection 3 are
5 14 the collateral.

5 15 5. The court ordered lien that is perfected under
5 16 this section is superior to and shall have priority
5 17 over a conflicting lien or security interest in the
5 18 livestock and associated proceeds and products as
5 19 provided in subsection 3, including a lien or security
5 20 interest that was perfected prior to the perfection of
5 21 the court ordered lien.

5 22 Sec. 8. NEW SECTION. 717.4A Livestock in immediate
5 23 need of sustenance ==== livestock remediation fund.

5 24 The department may utilize the moneys deposited
5 25 into the livestock remediation fund pursuant to
5 26 section 459.501 to pay for any expenses associated
5 27 with providing sustenance to or the disposition of the
5 28 livestock pursuant to a court order entered pursuant to
5 29 section 717.3 or 717.5. The department shall utilize
5 30 moneys from the fund only to the extent that the
5 31 department determines that expenses cannot be timely
5 32 paid by utilizing the available provisions of sections
5 33 717.4 and 717.5. The department shall deposit any
5 34 unexpended and unobligated moneys in the fund. The
5 35 department shall pay the fund the proceeds from the
5 36 disposition of the livestock and associated products
5 37 less expenses incurred by the department in providing
5 38 for the sustenance and disposition of the livestock, as
5 39 provided in section 717.5.

5 40 Sec. 9. Section 717.5, subsections 1 through 3,
5 41 Code 2011, are amended to read as follows:

5 42 1. a. A court shall order the disposition of
5 43 livestock neglected as provided in section 717.2
5 44 ~~after a hearing upon application or petition to the~~

5 45 ~~court or livestock in immediate need of sustenance and~~
5 46 associated products as provided in sections 717.3 and
5 47 717.4 in accordance with this section.

5 48 (1) A petition may be filed by a local authority or
5 49 a person owning or caring for the livestock pursuant

5 50 to section 717.2.



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6 1 (2) A petition may be filed by the department.

6 2 The court shall notify interested persons in the same
6 3 manner as provided in section 717.3. The petition may
6 4 be filed separately or with a petition filed pursuant
6 5 to section 717.3.

6 6 b. The matter shall be heard by the court within
6 7 ten days from the filing of a the petition by the local
~~6 8 authority or the person.~~

6 9 (1) ~~The~~ For livestock alleged to be neglected under
6 10 section 717.2, the court may continue the hearing for
6 11 up to forty days upon petition by the person. However,
6 12 the person shall post a bond or other security with the
6 13 local authority in an amount determined by the court,
6 14 which shall not be more than the amount sufficient to
6 15 provide for the maintenance of the livestock for forty
6 16 days. The court may grant a subsequent continuance by
6 17 the person for the same length of time if the person
6 18 submits a new bond or security.

6 19 (2) For livestock alleged to be in immediate need
6 20 of sustenance under section 717.3, the court may
6 21 continue the hearing for up to forty days upon petition
6 22 by the department. The department may file and the
6 23 court may grant one or more subsequent continuances
6 24 each for up to forty days. The department is not
6 25 required to post a bond or other security.

6 26 c. ~~However, the~~ Notwithstanding paragraph "b", the
6 27 court shall order the immediate disposition of ~~the~~
6 28 livestock if the livestock is permanently distressed
6 29 by disease or injury to a degree that would result in
6 30 severe or prolonged suffering.

6 31 2. The hearing to determine if livestock has
6 32 been neglected under section 717.2 for purposes of
6 33 disposition shall be a civil proceeding. If the case
6 34 is related to a criminal proceeding under section
6 35 717.2, the disposition shall not be part of that
6 36 proceeding and shall not be considered a criminal
6 37 penalty imposed on a person found in violation of
6 38 section 717.2.

6 39 3. A court may order a person owning the ~~neglected~~
6 40 livestock neglected under section 717.2 or in immediate
6 41 need of sustenance under section 717.3 to pay an amount
6 42 associated with expenses associated with the livestock
6 43 as follows:

6 44 a. (1) ~~which~~ For livestock neglected under section
6 45 717.2, the amount shall not be more than ~~the~~ for
6 46 expenses incurred by the local authority in maintaining
6 47 and disposing the neglected livestock rescued pursuant
6 48 to section 717.2A, and reasonable attorney fees and
6 49 expenses related to the investigation of the case. The
6 50 remaining amount of a bond or other security posted



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7 1 pursuant to ~~this section~~ subsection 1 shall be used to
7 2 reimburse the local authority.
7 3 (2) For livestock in immediate need of sustenance
7 4 under section 717.3, the amount shall not be more than
7 5 for expenses incurred by the department in providing
7 6 sustenance to and disposing of the neglected livestock
7 7 as provided in section 717.3 and this section. The
7 8 amount paid to the department shall be sufficient to
7 9 allow the department to repay the livestock remediation
7 10 fund as provided in section 459.501.
7 11 b. If more than one person has a divisible
7 12 ownership interest in the livestock, the amount
7 13 required to be paid shall be prorated based on the
7 14 percentage of interest in the livestock owned by
7 15 each person. The moneys shall be paid to the local
7 16 authority or department incurring the expense as
7 17 provided in paragraph "a". The amount shall be
7 18 subtracted from proceeds owed to the owner or owners of
7 19 the livestock, which are received from the sale of the
7 20 livestock ordered by the court.
7 21 c. (1) Moneys owed to the local authority from
7 22 the sale of neglected livestock that have been rescued
7 23 by a local authority pursuant to section 717.2A shall
7 24 be paid to the local authority before satisfying
7 25 indebtedness secured by any security interest in or
7 26 lien on the livestock. Moneys owed to the department
7 27 from the sale of livestock in immediate need of
7 28 sustenance and associated products shall be paid to
7 29 the department according to its priority status as a
7 30 lienholder as provided in section 717.4.
7 31 (2) If an owner of the livestock is a landowner,
7 32 the local authority may submit an amount of the moneys
7 33 owed to the clerk of the county board of supervisors
7 34 who shall report the amount to the county treasurer.
7 35 The amount shall equal the balance remaining after the
7 36 sale of the livestock. If the livestock owner owns a
7 37 percentage of the livestock, the reported amount shall
7 38 equal the remaining balance owed by all landowners
7 39 who own a percentage of the livestock. That amount
7 40 shall be prorated among the landowners based on the
7 41 percentage of interest in the livestock attributable to
7 42 each landowner. The amount shall be placed upon the
7 43 tax books, and collected with interest and penalties
7 44 after due, in the same manner as other unpaid property
7 45 taxes. The county shall reimburse a city within thirty
7 46 days from the collection of the property taxes.
7 47 Sec. 10. NEW SECTION. 717.6 Rulemaking.
7 48 The department may adopt rules pursuant to chapter
7 49 17A as required to implement and administer sections
7 50 717.3 through 717.5.



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8 1 Sec. 11. CODE EDITOR DIRECTIVE. Sections 7D.10A,
8 2 459.303, 459.503A, and 460.206, Code 2011, are amended
8 3 by striking from the sections the words "manure storage
8 4 indemnity fund" and inserting in lieu thereof the words
8 5 "livestock remediation fund".>
8 6 #2. By renumbering as necessary.

SWEENEY of Hardin
HF591.2192 (1) 84
da/rj



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House Amendment 1505

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1 1 Amend House File 645 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <DIVISION I
1 4 FY 2012=2013>
1 5 #2. Page 3, line 2, by striking <261.72,> and
1 6 inserting <261.72>
1 7 #3. Page 19, line 20, by striking <ending June
1 8 30, 2011 2012> and inserting <ending June 30, 2011
1 9 succeeding fiscal years>
1 10 #4. Page 20, line 18, by striking <ending June
1 11 30, 2011 2012> and inserting <ending June 30, 2011
1 12 succeeding years>
1 13 #5. Page 20, after line 30 by inserting:
1 14 <DIVISION ii
1 15 FY 2012=2013
1 16 DEPARTMENT FOR THE BLIND
1 17 Sec. ____ . ADMINISTRATION. There is appropriated
1 18 from the general fund of the state to the department
1 19 for the blind for the fiscal year beginning July 1,
1 20 2012, and ending June 30, 2013, the following amount,
1 21 or so much thereof as is necessary, to be used for the
1 22 purposes designated:
1 23 For salaries, support, maintenance, miscellaneous
1 24 purposes, and for not more than the following full=time
1 25 equivalent positions:
1 26 \$ 1,706,053
1 27 FTEs 88.00
1 28 COLLEGE STUDENT AID COMMISSION
1 29 Sec. ____ . There is appropriated from the general
1 30 fund of the state to the college student aid commission
1 31 for the fiscal year beginning July 1, 2012, and
1 32 ending June 30, 2013, the following amounts, or so
1 33 much thereof as may be necessary, to be used for the
1 34 purposes designated:
1 35 1. GENERAL ADMINISTRATION
1 36 For salaries, support, maintenance, miscellaneous
1 37 purposes, and for not more than the following full=time
1 38 equivalent positions:
1 39 \$ 234,903
1 40 FTEs 3.95
1 41 2. STUDENT AID PROGRAMS
1 42 For payments to students for the Iowa grant program
1 43 established in section 261.93:
1 44 \$ 848,761
1 45 3. DES MOINES UNIVERSITY ==== HEALTH CARE
1 46 PROFESSIONAL RECRUITMENT PROGRAM
1 47 For forgivable loans to Iowa students attending Des
1 48 Moines university ==== osteopathic medical center under
1 49 the forgivable loan program pursuant to section 261.19:
1 50 \$ 349,699



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2 1 4. NATIONAL GUARD EDUCATIONAL ASSISTANCE PROGRAM
2 2 For purposes of providing national guard educational
2 3 assistance under the program established in section
2 4 261.86:
2 5 \$ 3,186,233
2 6 5. ALL IOWA OPPORTUNITY FOSTER CARE GRANT PROGRAM
2 7 For purposes of the all Iowa opportunity foster care
2 8 grant program established pursuant to section 261.6:
2 9 \$ 594,383
2 10 6. ALL IOWA OPPORTUNITY SCHOLARSHIP PROGRAM
2 11 a. For purposes of the all Iowa opportunity
2 12 scholarship program established pursuant to section
2 13 261.87:
2 14 \$ 2,403,949
2 15 b. If the moneys appropriated by the general
2 16 assembly to the college student aid commission for
2 17 fiscal year 2012=2013 for purposes of the all Iowa
2 18 opportunity scholarship program exceed \$500,000,
2 19 "eligible institution" as defined in section 261.87,
2 20 shall, during fiscal year 2012=2013, include accredited
2 21 private institutions as defined in section 261.9,
2 22 subsection 1.
2 23 7. REGISTERED NURSE AND NURSE EDUCATOR LOAN
2 24 FORGIVENESS PROGRAM
2 25 a. For purposes of the registered nurse and nurse
2 26 educator loan forgiveness program established pursuant
2 27 to section 261.23:
2 28 \$ 86,736
2 29 b. It is the intent of the general assembly that
2 30 the commission continue to consider moneys allocated
2 31 pursuant to this subsection as moneys that meet the
2 32 state matching funds requirements of the federal
2 33 leveraging educational assistance program and the
2 34 federal supplemental leveraging educational assistance
2 35 program established under the Higher Education Act of
2 36 1965, as amended.
2 37 8. BARBER AND COSMETOLOGY ARTS AND SCIENCES TUITION
2 38 GRANT PROGRAM
2 39 For purposes of the barber and cosmetology arts and
2 40 sciences tuition grant program established pursuant to
2 41 section 261.18:
2 42 \$ 39,626
2 43 Sec. _____. IOWA TUITION GRANT APPROPRIATION FOR FY
2 44 2012=2013. Notwithstanding section 261.25, subsection
2 45 1, for the fiscal year beginning July 1, 2012, and
2 46 ending June 30, 2013, the amount appropriated from the
2 47 general fund of the state to the college student aid
2 48 commission for tuition grants under section 261.25,
2 49 subsection 1, shall be \$44,013,448.
2 50 Sec. _____. CHIROPRACTIC LOAN FUNDS. Notwithstanding



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3 1 section 261.72, the moneys deposited in the
3 2 chiropractic loan revolving fund created pursuant
3 3 to section 261.72 may be used for purposes of the
3 4 chiropractic loan forgiveness program established in
3 5 section 261.73.
3 6 Sec. _____. WORK=STUDY APPROPRIATION FOR FY
3 7 2012=2013. Notwithstanding section 261.85, for the
3 8 fiscal year beginning July 1, 2012, and ending June 30,
3 9 2013, the amount appropriated from the general fund of
3 10 the state to the college student aid commission for the
3 11 work=study program under section 261.85 shall be zero.
3 12 DEPARTMENT OF EDUCATION
3 13 Sec. _____. There is appropriated from the general
3 14 fund of the state to the department of education for
3 15 the fiscal year beginning July 1, 2012, and ending June
3 16 30, 2013, the following amounts, or so much thereof
3 17 as may be necessary, to be used for the purposes
3 18 designated:
3 19 1. GENERAL ADMINISTRATION
3 20 For salaries, support, maintenance, miscellaneous
3 21 purposes, and for not more than the following full=time
3 22 equivalent positions:
3 23 \$ 6,019,042
3 24 FTEs 81.67
3 25 2. VOCATIONAL EDUCATION ADMINISTRATION
3 26 For salaries, support, maintenance, miscellaneous
3 27 purposes, and for not more than the following full=time
3 28 equivalent positions:
3 29 \$ 422,319
3 30 FTEs 11.50
3 31 3. VOCATIONAL REHABILITATION SERVICES DIVISION
3 32 a. For salaries, support, maintenance,
3 33 miscellaneous purposes, and for not more than the
3 34 following full=time equivalent positions:
3 35 \$ 4,477,378
3 36 FTEs 255.00
3 37 b. For matching funds for programs to enable
3 38 persons with severe physical or mental disabilities to
3 39 function more independently, including salaries and
3 40 support, and for not more than the following full=time
3 41 equivalent position:
3 42 \$ 39,457
3 43 FTEs 1.00
3 44 c. For the entrepreneurs with disabilities program
3 45 established pursuant to section 259.4, subsection 9:
3 46 \$ 146,760
3 47 d. For costs associated with centers for
3 48 independent living:
3 49 \$ 40,633
3 50 4. STATE LIBRARY



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4 1 a. For salaries, support, maintenance,
4 2 miscellaneous purposes, and for not more than the
4 3 following full=time equivalent positions:
4 4 \$ 1,219,799
4 5 FTEs 17.00
4 6 b. For the enrich Iowa program established under
4 7 section 256.57:
4 8 \$ 1,688,316
4 9 5. LIBRARY SERVICE AREA SYSTEM
4 10 For state aid:
4 11 \$ 934,917
4 12 6. PUBLIC BROADCASTING DIVISION
4 13 For salaries, support, maintenance, capital
4 14 expenditures, miscellaneous purposes, and for not more
4 15 than the following full=time equivalent positions:
4 16 \$ 6,710,017
4 17 FTEs 82.00
4 18 7. REGIONAL TELECOMMUNICATIONS COUNCILS
4 19 For state aid:
4 20 \$ 1,001,269
4 21 The regional telecommunications councils established
4 22 in section 8D.5 shall use the moneys appropriated in
4 23 this subsection to provide technical assistance for
4 24 network classrooms, planning and troubleshooting for
4 25 local area networks, scheduling of video sites, and
4 26 other related support activities.
4 27 8. VOCATIONAL EDUCATION TO SECONDARY SCHOOLS
4 28 For reimbursement for vocational education
4 29 expenditures made by secondary schools:
4 30 \$ 2,435,234
4 31 Moneys appropriated in this subsection shall be used
4 32 to reimburse school districts for vocational education
4 33 expenditures made by secondary schools to meet the
4 34 standards set in sections 256.11, 258.4, and 260C.14.
4 35 9. SCHOOL FOOD SERVICE
4 36 For use as state matching funds for federal
4 37 programs that shall be disbursed according to federal
4 38 regulations, including salaries, support, maintenance,
4 39 miscellaneous purposes, and for not more than the
4 40 following full=time equivalent positions:
4 41 \$ 1,993,795
4 42 FTEs 20.58
4 43 10. EARLY CHILDHOOD IOWA FUND === GENERAL AID
4 44 For deposit in the school ready children grants
4 45 account of the early childhood Iowa fund created in
4 46 section 256I.11:
4 47 \$ 5,386,113
4 48 a. From the moneys deposited in the school ready
4 49 children grants account for the fiscal year beginning
4 50 July 1, 2012, and ending June 30, 2013, not more than



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5 1 \$265,950 is allocated for the early childhood Iowa
5 2 office and other technical assistance activities. The
5 3 early childhood Iowa state board shall direct staff to
5 4 work with the early childhood stakeholders alliance
5 5 created in section 256I.12 to inventory technical
5 6 assistance needs. Moneys allocated under this lettered
5 7 paragraph may be used by the early childhood Iowa state
5 8 board for the purpose of skills development and support
5 9 for ongoing training of staff. However, except as
5 10 otherwise provided in this subsection, moneys shall not
5 11 be used for additional staff or for the reimbursement
5 12 of staff.

5 13 b. As a condition of receiving moneys appropriated
5 14 in this subsection, each early childhood Iowa area
5 15 board shall report to the early childhood Iowa state
5 16 board progress on each of the local indicators approved
5 17 by the area board. Each early childhood Iowa area
5 18 board must also submit an annual budget for the area's
5 19 comprehensive school ready children grant developed for
5 20 providing services for children from birth through five
5 21 years of age, and provide other information specified
5 22 by the early childhood Iowa state board, including
5 23 budget amendments as needed. The early childhood Iowa
5 24 state board shall establish a submission deadline for
5 25 the annual budget and any budget amendments that allow
5 26 a reasonable period of time for preparation by the
5 27 early childhood Iowa area boards and for review and
5 28 approval or request for modification of the materials
5 29 by the early childhood Iowa state board. In addition,
5 30 each early childhood Iowa area board must continue to
5 31 comply with reporting provisions and other requirements
5 32 adopted by the early childhood Iowa state board in
5 33 implementing section 256I.9.

5 34 c. Of the amount appropriated in this subsection
5 35 for deposit in the school ready children grants account
5 36 of the early childhood Iowa fund, \$2,318,018 shall
5 37 be used for efforts to improve the quality of early
5 38 care, health, and education programs. Moneys allocated
5 39 pursuant to this paragraph may be used for additional
5 40 staff and for the reimbursement of staff. The early
5 41 childhood Iowa state board may reserve a portion of the
5 42 allocation, not to exceed \$88,650, for the technical
5 43 assistance expenses of the early childhood Iowa state
5 44 office, including the reimbursement of staff, and
5 45 shall distribute the remainder to early childhood Iowa
5 46 areas for local quality improvement efforts through
5 47 a methodology identified by the early childhood Iowa
5 48 state board to make the most productive use of the
5 49 funding, which may include use of the distribution
5 50 formula, grants, or other means.



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6 1 d. Of the amount appropriated in this subsection
6 2 for deposit in the school ready children grants account
6 3 of the early childhood Iowa fund, \$825,030 shall
6 4 be used for support of professional development and
6 5 training activities for persons working in early care,
6 6 health, and education by the early childhood Iowa
6 7 state board in collaboration with the professional
6 8 development component group of the early childhood
6 9 Iowa stakeholders alliance maintained pursuant to
6 10 section 256I.12, subsection 7, paragraph "b", and the
6 11 early childhood Iowa area boards. Expenditures shall
6 12 be limited to professional development and training
6 13 activities agreed upon by the parties participating in
6 14 the collaboration.

6 15 11. EARLY CHILDHOOD IOWA FUND ==== PRESCHOOL TUITION
6 16 ASSISTANCE

6 17 a. For deposit in the school ready children grants
6 18 account of the early childhood Iowa fund created in
6 19 section 256I.11:
6 20 \$ 3,128,877

6 21 b. The amount appropriated in this subsection shall
6 22 be used for early care, health, and education programs
6 23 to assist low-income parents with tuition for preschool
6 24 and other supportive services for children ages three,
6 25 four, and five who are not attending kindergarten in
6 26 order to increase the basic family income eligibility
6 27 requirement to not more than 200 percent of the federal
6 28 poverty level. In addition, if sufficient funding is
6 29 available after addressing the needs of those who meet
6 30 the basic income eligibility requirement, an early
6 31 childhood Iowa area board may provide for eligibility
6 32 for those with a family income in excess of the basic
6 33 income eligibility requirement through use of a sliding
6 34 scale or other copayment provisions.

6 35 12. EARLY CHILDHOOD IOWA FUND ==== FAMILY SUPPORT AND
6 36 PARENT EDUCATION

6 37 a. For deposit in the school ready children grants
6 38 account of the early childhood Iowa fund created in
6 39 section 256I.11:
6 40 \$ 12,364,434

6 41 b. The amount appropriated in this subsection
6 42 shall be used for family support services and parent
6 43 education programs targeted to families expecting a
6 44 child or with newborn and infant children through age
6 45 five and shall be distributed using the distribution
6 46 formula approved by the early childhood Iowa state
6 47 board and shall be used by an early childhood Iowa
6 48 area board only for family support services and parent
6 49 education programs targeted to families expecting a
6 50 child or with newborn and infant children through age



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7 1 five.
7 2 13. BIRTH TO AGE THREE SERVICES
7 3 For expansion of the federal Individuals with
7 4 Disabilities Education Improvement Act of 2004, Pub.
7 5 L. No. 108=446, as amended to January 1, 2012, birth
7 6 through age three services due to increased numbers of
7 7 children qualifying for those services:
7 8 \$ 1,618,116
7 9 From the moneys appropriated in this subsection,
7 10 \$383,769 shall be allocated to the child health
7 11 specialty clinic at the state university of Iowa to
7 12 provide additional support for infants and toddlers
7 13 who are born prematurely, drug=exposed, or medically
7 14 fragile.
7 15 14. TEXTBOOKS OF NONPUBLIC SCHOOL PUPILS
7 16 To provide moneys for costs of providing textbooks
7 17 to each resident pupil who attends a nonpublic school
7 18 as authorized by section 301.1:
7 19 \$ 600,987
7 20 Funding under this subsection is limited to \$20 per
7 21 pupil and shall not exceed the comparable services
7 22 offered to resident public school pupils.
7 23 15. BEGINNING ADMINISTRATOR MENTORING AND INDUCTION
7 24 PROGRAM
7 25 For purposes of administering the beginning
7 26 administrator mentoring and induction program
7 27 established pursuant to chapter 284A:
7 28 \$ 183,448
7 29 16. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM
7 30 For purposes of the student achievement and teacher
7 31 quality program established pursuant to chapter
7 32 284, and for not more than the following full=time
7 33 equivalent positions:
7 34 \$ 4,498,878
7 35 FTEs 2.00
7 36 17. PRESCHOOL PROGRAM FOR FOUR=YEAR=OLD CHILDREN
7 37 For the operation of the preschool program for
7 38 four=year=old children, and to provide program
7 39 scholarships to pay for eligible four=year=old children
7 40 to attend preschool provided by school districts or
7 41 private education partners if the Eighty=fourth General
7 42 Assembly, 2011 Regular Session, enacts legislation
7 43 establishing the program:
7 44 \$ 33,600,000
7 45 18. COMMUNITY COLLEGES
7 46 For general state financial aid to merged areas as
7 47 defined in section 260C.2 in accordance with chapters
7 48 258 and 260C:
7 49 \$152,412,677
7 50 The funds appropriated in this subsection shall



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8 1 be allocated pursuant to the formula established in
8 2 section 206C.18C.

8 3 STATE BOARD OF REGENTS

8 4 Sec. _____. There is appropriated from the general
8 5 fund of the state to the state board of regents for the
8 6 fiscal year beginning July 1, 2012, and ending June 30,
8 7 2013, the following amounts, or so much thereof as may
8 8 be necessary, to be used for the purposes designated:

8 9 1. OFFICE OF STATE BOARD OF REGENTS

8 10 a. For salaries, support, maintenance,
8 11 miscellaneous purposes, and for not more than the
8 12 following full-time equivalent positions:

8 13	\$ 1,023,664
8 14 FTEs	15.00

8 15 The state board of regents shall submit a monthly
8 16 financial report in a format agreed upon by the state
8 17 board of regents office and the legislative services
8 18 agency.

8 19 b. For moneys to be allocated to the state
8 20 university of Iowa, the Iowa state university of
8 21 science and technology, and the university of northern
8 22 Iowa to reimburse the institutions for deficiencies in
8 23 their operating funds resulting from the pledging of
8 24 tuitions, student fees and charges, and institutional
8 25 income to finance the cost of providing academic and
8 26 administrative buildings and facilities and utility
8 27 services at the institutions:

8 28	\$ 25,555,412
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8 29 Notwithstanding section 8.33, moneys appropriated
8 30 for the purposes in this lettered paragraph remaining
8 31 unencumbered or unobligated at the end of the fiscal
8 32 year shall not revert but shall be available for
8 33 expenditure for the purposes specified in this lettered
8 34 paragraph during the subsequent fiscal year.

8 35 c. For moneys to be allocated to the southwest Iowa
8 36 graduate studies center:

8 37	\$ 85,320
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8 38 d. For moneys to be allocated to the siouxland
8 39 interstate metropolitan planning council for the
8 40 tristate graduate center under section 262.9,
8 41 subsection 22:

8 42	\$ 64,963
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8 43 e. For moneys to be allocated to the quad-cities
8 44 graduate studies center:

8 45	\$ 126,585
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8 46 f. For moneys to be distributed to Iowa public
8 47 radio for public radio operations:

8 48	\$ 381,939
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8 49 2. STATE UNIVERSITY OF IOWA

8 50 a. General university, including lakeside



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9 1 laboratory
9 2 For salaries, support, maintenance, equipment,
9 3 miscellaneous purposes, and for not more than the
9 4 following full=time equivalent positions:
9 5 \$202,997,974
9 6 FTEs 5,058.55
9 7 b. Oakdale campus
9 8 For salaries, support, maintenance, miscellaneous
9 9 purposes, and for not more than the following full=time
9 10 equivalent positions:
9 11 \$ 2,132,789
9 12 FTEs 38.25
9 13 c. State hygienic laboratory
9 14 For salaries, support, maintenance, miscellaneous
9 15 purposes, and for not more than the following full=time
9 16 equivalent positions:
9 17 \$ 3,449,746
9 18 FTEs 102.50
9 19 d. Family practice program
9 20 For allocation by the dean of the college of
9 21 medicine, with approval of the advisory board, to
9 22 qualified participants to carry out the provisions
9 23 of chapter 148D for the family practice program,
9 24 including salaries and support, and for not more than
9 25 the following full=time equivalent positions:
9 26 \$ 1,744,290
9 27 FTEs 190.40
9 28 e. Child health care services
9 29 For specialized child health care services,
9 30 including childhood cancer diagnostic and treatment
9 31 network programs, rural comprehensive care for
9 32 hemophilia patients, and the Iowa high=risk infant
9 33 follow=up program, including salaries and support, and
9 34 for not more than the following full=time equivalent
9 35 positions:
9 36 \$ 643,239
9 37 FTEs 57.97
9 38 f. Statewide cancer registry
9 39 For the statewide cancer registry, and for not more
9 40 than the following full=time equivalent positions:
9 41 \$ 145,386
9 42 FTEs 2.10
9 43 g. Substance abuse consortium
9 44 For moneys to be allocated to the Iowa consortium
9 45 for substance abuse research and evaluation, and
9 46 for not more than the following full=time equivalent
9 47 position:
9 48 \$ 54,164
9 49 FTEs 1.00
9 50 h. Center for biocatalysis



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10 1	For the center for biocatalysis, and for not more		
10 2	than the following full=time equivalent positions:		
10 3	.....	\$	705,931
10 4	.....	FTEs	6.28
10 5	i. Primary health care initiative		
10 6	For the primary health care initiative in the		
10 7	college of medicine, and for not more than the		
10 8	following full=time equivalent positions:		
10 9	.....	\$	632,972
10 10	.....	FTEs	5.89
10 11	From the moneys appropriated in this lettered		
10 12	paragraph, \$254,889 shall be allocated to the		
10 13	department of family practice at the state university		
10 14	of Iowa college of medicine for family practice faculty		
10 15	and support staff.		
10 16	j. Birth defects registry		
10 17	For the birth defects registry, and for not more		
10 18	than the following full=time equivalent position:		
10 19	.....	\$	37,346
10 20	.....	FTEs	1.00
10 21	k. Larned A. Waterman Iowa nonprofit resource		
10 22	center		
10 23	For the Larned A. Waterman Iowa nonprofit resource		
10 24	center, and for not more than the following full=time		
10 25	equivalent positions:		
10 26	.....	\$	158,542
10 27	.....	FTEs	2.75
10 28	3. IOWA STATE UNIVERSITY OF SCIENCE AND TECHNOLOGY		
10 29	a. General university		
10 30	For salaries, support, maintenance, equipment,		
10 31	miscellaneous purposes, and for not more than the		
10 32	following full=time equivalent positions:		
10 33	.....	\$	159,064,412
10 34	.....	FTEs	3,647.42
10 35	b. Agricultural experiment station		
10 36	For the agricultural experiment station salaries,		
10 37	support, maintenance, miscellaneous purposes, and		
10 38	for not more than the following full=time equivalent		
10 39	positions:		
10 40	.....	\$	27,420,590
10 41	.....	FTEs	546.98
10 42	c. Cooperative extension service in agriculture and		
10 43	home economics		
10 44	For the cooperative extension service in agriculture		
10 45	and home economics salaries, support, maintenance,		
10 46	miscellaneous purposes, and for not more than the		
10 47	following full=time equivalent positions:		
10 48	\$	17,495,648
10 49	FTEs	383.34
10 50	d. Leopold center		



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11 1 For agricultural research grants at Iowa state
11 2 university of science and technology under section
11 3 266.39B, and for not more than the following full=time
11 4 equivalent positions:
11 5 \$ 387,645
11 6 FTEs 11.25
11 7 e. Livestock disease research
11 8 For deposit in and the use of the livestock disease
11 9 research fund under section 267.8:
11 10 \$ 168,595
11 11 4. UNIVERSITY OF NORTHERN IOWA
11 12 a. General university
11 13 For salaries, support, maintenance, equipment,
11 14 miscellaneous purposes, and for not more than the
11 15 following full=time equivalent positions:
11 16 \$ 72,333,194
11 17 FTEs 1,447.50
11 18 b. Recycling and reuse center
11 19 For purposes of the recycling and reuse center, and
11 20 for not more than the following full=time equivalent
11 21 positions:
11 22 \$ 170,947
11 23 FTEs 3.00
11 24 c. Science, technology, engineering, and
11 25 mathematics (STEM) collaborative initiative
11 26 For purposes of establishing a science, technology,
11 27 engineering, and mathematics (STEM) collaborative
11 28 initiative, and for not more than the following
11 29 full=time equivalent positions:
11 30 \$ 1,692,000
11 31 FTEs 6.20
11 32 (1) From the moneys appropriated in this lettered
11 33 paragraph, up to \$282,000 shall be allocated for
11 34 salaries, staffing, and institutional support. The
11 35 remainder of the moneys appropriated in this lettered
11 36 paragraph shall be expended only to support activities
11 37 directly related to recruitment of kindergarten
11 38 through grade 12 mathematics and science teachers and
11 39 for ongoing mathematics and science programming for
11 40 students enrolled in kindergarten through grade 12.
11 41 (2) The university of northern Iowa shall work with
11 42 the community colleges to develop STEM professional
11 43 development programs for community college instructors
11 44 and STEM curriculum development.
11 45 d. Real estate education program
11 46 For purposes of the real estate education program,
11 47 and for not more than the following full=time
11 48 equivalent position:
11 49 \$ 122,221
11 50 FTEs 1.00



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12 1 5. STATE SCHOOL FOR THE DEAF
12 2 For salaries, support, maintenance, miscellaneous
12 3 purposes, and for not more than the following full=time
12 4 equivalent positions:
12 5 \$ 8,159,166
12 6 FTEs 126.60
12 7 6. IOWA BRAILLE AND SIGHT SAVING SCHOOL
12 8 For salaries, support, maintenance, miscellaneous
12 9 purposes, and for not more than the following full=time
12 10 equivalent positions:
12 11 \$ 3,622,320
12 12 FTEs 62.87
12 13 7. TUITION AND TRANSPORTATION COSTS
12 14 For payment to local school boards for the tuition
12 15 and transportation costs of students residing in the
12 16 Iowa braille and sight saving school and the state
12 17 school for the deaf pursuant to section 262.43 and
12 18 for payment of certain clothing, prescription, and
12 19 transportation costs for students at these schools
12 20 pursuant to section 270.5:
12 21 \$ 11,474
12 22 8. LICENSED CLASSROOM TEACHERS
12 23 For distribution at the Iowa braille and sight
12 24 saving school and the Iowa school for the deaf based
12 25 upon the average yearly enrollment at each school as
12 26 determined by the state board of regents:
12 27 \$ 80,032
12 28 Sec. _____. ENERGY COST=SAVINGS PROJECTS ====
12 29 FINANCING. For the fiscal year beginning July 1,
12 30 2012, and ending June 30, 2013, the state board of
12 31 regents may use notes, bonds, or other evidences of
12 32 indebtedness issued under section 262.48 to finance
12 33 projects that will result in energy cost savings in an
12 34 amount that will cause the state board to recover the
12 35 cost of the projects within an average of six years.
12 36 Sec. _____. PRESCRIPTION DRUG COSTS. Notwithstanding
12 37 section 270.7, the department of administrative
12 38 services shall pay the state school for the deaf and
12 39 the Iowa braille and sight saving school the moneys
12 40 collected from the counties during the fiscal year
12 41 beginning July 1, 2012, for expenses relating to
12 42 prescription drug costs for students attending the
12 43 state school for the deaf and the Iowa braille and
12 44 sight saving school.>
12 45 #6. By renumbering as necessary.

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House Amendment 1506

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1 1 Amend Senate File 512, as passed by the Senate, as
1 2 follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5
1 6 <DIVISION I
1 7 INTERNAL REVENUE CODE REFERENCES
1 8 Section 1. Section 422.3, subsection 5, Code 2011,
1 9 is amended to read as follows:
1 10 5. "Internal Revenue Code" means the Internal
1 11 Revenue Code of 1954, prior to the date of its
1 12 redesignation as the Internal Revenue Code of 1986
1 13 by the Tax Reform Act of 1986, or means the Internal
1 14 Revenue Code of 1986 as amended to and including
1 15 January 1, ~~2008~~ 2011.
1 16 Sec. 2. Section 422.7, subsection 29A, Code 2011,
1 17 is amended by striking the subsection.
1 18 Sec. 3. Section 422.9, subsection 2, paragraph i,
1 19 Code 2011, is amended to read as follows:
1 20 i. The deduction for state sales and use taxes
1 21 is allowable only if the taxpayer elected to deduct
1 22 the state sales and use taxes in lieu of state income
1 23 taxes under section 164 of the Internal Revenue Code.
1 24 A deduction for state sales and use taxes is not
1 25 allowed if the taxpayer has taken the deduction for
1 26 state income taxes or claimed the standard deduction
1 27 under section 63 of the Internal Revenue Code. This
1 28 paragraph applies to taxable years beginning after
1 29 December 31, 2003, and before January 1, ~~2006~~ 2008, and
1 30 before January 1, 2009, and
1 31 before January 1, 2012.
1 32 Sec. 4. Section 422.32, subsection 7, Code 2011, is
1 33 amended to read as follows:
1 34 7. "Internal Revenue Code" means the Internal
1 35 Revenue Code of 1954, prior to the date of its
1 36 redesignation as the Internal Revenue Code of 1986
1 37 by the Tax Reform Act of 1986, or means the Internal
1 38 Revenue Code of 1986 as amended to and including
1 39 January 1, ~~2008~~ 2011.
1 40 Sec. 5. EFFECTIVE UPON ENACTMENT. This division of
1 41 this Act, being deemed of immediate importance, takes
1 42 effect upon enactment.
1 43 Sec. 6. RETROACTIVE APPLICABILITY. The following
1 44 provision or provisions of this division of this Act
1 45 apply retroactively to January 1, 2010, for tax years
1 46 beginning on or after that date:
1 47 1. The section of this Act amending section 422.3.
1 48 2. The section of this Act amending section 422.32.
1 49 Sec. 7. RETROACTIVE APPLICABILITY. The following
1 50 provision or provisions of this division of this Act
1 51 apply retroactively to January 1, 2011, for tax years



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2 1 beginning on or after that date:

2 2 1. The section of this Act amending section 422.7,
2 3 subsection 29A.

2 4

DIVISION IV

2 5

RESEARCH ACTIVITIES CREDIT

2 6 Sec. 8. Section 15.335, subsection 4, Code 2011, is
2 7 amended to read as follows:

2 8 4. a. In lieu of the credit amount computed in
2 9 subsection 2, an eligible business may elect to compute
2 10 the credit amount for qualified research expenses
2 11 incurred in this state in a manner consistent with the
2 12 alternative ~~incremental~~ simplified credit described in
2 13 section ~~41(e)(4)~~ 41(c)(5) of the Internal Revenue Code.
2 14 The taxpayer may make this election regardless of the
2 15 method used for the taxpayer's federal income tax. The
2 16 election made under this paragraph is for the tax year
2 17 and the taxpayer may use another or the same method for
2 18 any subsequent year.

2 19 b. For purposes of the alternate credit computation
2 20 method in paragraph "a", the credit percentages
2 21 applicable to qualified research expenses described in
2 22 ~~clauses (i), (ii), and (iii) of section 41(e)(4)(A)~~
~~2 23 41(c)(5)(A) and clause (ii) of section 41(c)(5)(B)~~ of
2 24 the Internal Revenue Code are as follows:

2 25 (1) In the case of an eligible business whose gross
2 26 revenues do not exceed twenty million dollars per
2 27 year, the credit percentages are ~~two and fifty-four~~
~~2 28 hundredths percent, three and thirty-eight hundredths~~
~~2 29 percent, and four and twenty-three hundredths~~ seven
2 30 percent and three percent, respectively.

2 31 (2) In the case of an eligible business whose
2 32 gross revenues exceed twenty million dollars per year,
2 33 the credit percentages are ~~seventy-six hundredths~~
~~2 34 percent, one and two hundredths percent, and one and~~
~~2 35 twenty-seven hundredths~~ two and one-tenth percent and
2 36 nine-tenths percent, respectively.

2 37 Sec. 9. Section 15.335, subsection 7, Code 2011, is
2 38 amended to read as follows:

2 39 7. a. For purposes of this section, "base amount",
2 40 "basic research payment", and "qualified research
2 41 expense" mean the same as defined for the federal
2 42 credit for increasing research activities under section
2 43 41 of the Internal Revenue Code, except that for the
2 44 alternative ~~incremental~~ simplified credit such amounts
2 45 are for research conducted within this state.

2 46 b. For purposes of this section, "Internal Revenue
2 47 Code" means the Internal Revenue Code in effect on
2 48 January 1, ~~2009~~ 2011.

2 49 Sec. 10. Section 15A.9, subsection 8, paragraphs b,
2 50 c, and e, Code 2011, are amended to read as follows:



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3 1 b. In lieu of the credit amount computed in
3 2 paragraph "a", subparagraph (1), subparagraph division
3 3 (a), a business may elect to compute the credit amount
3 4 for qualified research expenses incurred in this
3 5 state within the zone in a manner consistent with the
3 6 alternative ~~incremental~~ simplified credit described in
3 7 section ~~41(c)(4)~~ 41(c)(5) of the Internal Revenue Code.
3 8 The taxpayer may make this election regardless of the
3 9 method used for the taxpayer's federal income tax. The
3 10 election made under this paragraph is for the tax year
3 11 and the taxpayer may use another or the same method for
3 12 any subsequent year.

3 13 c. For purposes of the alternate credit computation
3 14 method in paragraph "b", the credit percentages
3 15 applicable to qualified research expenses described in
3 16 ~~clauses (i), (ii), and (iii) of section 41(c)(4)(A)~~
~~3 17 41(c)(5)(A) and clause (ii) of section 41(c)(5)(B)~~
3 18 of the Internal Revenue Code are ~~three and thirty~~
~~3 19 hundredths percent, four and forty hundredths percent,~~
~~3 20 and five and fifty hundredths percent, respectively as~~
3 21 follows:

3 22 (1) In the case of an eligible business whose gross
3 23 revenues do not exceed twenty million dollars per year,
3 24 the credit percentages are seven percent and three
3 25 percent, respectively.

3 26 (2) In the case of an eligible business whose gross
3 27 revenues exceed twenty million dollars per year, the
3 28 credit percentages are two and one-tenths percent and
3 29 nine-tenths percent, respectively.

3 30 e. (1) For the purposes of this subsection,
3 31 "base amount", "basic research payment", and "qualified
3 32 research expense" mean the same as defined for the
3 33 federal credit for increasing research activities under
3 34 section 41 of the Internal Revenue Code, except that
3 35 for the alternative ~~incremental~~ simplified credit such
3 36 amounts are for research conducted within this state
3 37 within the zone.

3 38 (2) For purposes of this subsection, "Internal
3 39 Revenue Code" means the Internal Revenue Code in effect
3 40 on January 1, ~~2009~~ 2011.

3 41 Sec. 11. Section 422.10, subsection 1, paragraphs b
3 42 and c, Code 2011, are amended to read as follows:

3 43 b. In lieu of the credit amount computed in
3 44 paragraph "a", subparagraph (1), subparagraph division
3 45 (a), a taxpayer may elect to compute the credit amount
3 46 for qualified research expenses incurred in this state
3 47 in a manner consistent with the alternative ~~incremental~~
~~3 48 simplified~~ credit described in section ~~41(c)(4)~~
~~3 49 41(c)(5)~~ of the Internal Revenue Code. The taxpayer
3 50 may make this election regardless of the method used



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4 1 for the taxpayer's federal income tax. The election
4 2 made under this paragraph is for the tax year and the
4 3 taxpayer may use another or the same method for any
4 4 subsequent year.

4 5 c. For purposes of the alternate credit computation
4 6 method in paragraph "b", the credit percentages
4 7 applicable to qualified research expenses described in
4 8 ~~clauses (i), (ii), and (iii) of section 41(c)(4)(A)~~
4 9 ~~41(c)(5)(A) and clause (ii) of section 41(c)(5)(B)~~
4 10 ~~of the Internal Revenue Code are one and sixty-five~~
4 11 ~~hundredths percent, two and twenty hundredths percent,~~
4 12 ~~and two and seventy-five hundredths~~ four and fifty-five
4 13 hundredths percent and one and ninety-five hundredths
4 14 percent, respectively.

4 15 Sec. 12. Section 422.10, subsection 3, Code 2011,
4 16 is amended to read as follows:

4 17 3. a. For purposes of this section, "base amount",
4 18 "basic research payment", and "qualified research
4 19 expense" mean the same as defined for the federal
4 20 credit for increasing research activities under section
4 21 41 of the Internal Revenue Code, except that for the
4 22 alternative ~~incremental~~ simplified credit such amounts
4 23 are for research conducted within this state.

4 24 b. For purposes of this section, "Internal Revenue
4 25 Code" means the Internal Revenue Code in effect on
4 26 January 1, ~~2009~~ 2011.

4 27 Sec. 13. Section 422.33, subsection 5, paragraphs
4 28 b, c, and d, Code 2011, are amended to read as follows:

4 29 b. In lieu of the credit amount computed in
4 30 paragraph "a", subparagraph (1), a corporation may
4 31 elect to compute the credit amount for qualified
4 32 research expenses incurred in this state in a manner
4 33 consistent with the alternative ~~incremental~~ simplified
4 34 credit described in section ~~41(c)(4)~~ 41(c)(5) of
4 35 the Internal Revenue Code. The taxpayer may make
4 36 this election regardless of the method used for the
4 37 taxpayer's federal income tax. The election made under
4 38 this paragraph is for the tax year and the taxpayer may
4 39 use another or the same method for any subsequent year.

4 40 c. For purposes of the alternate credit computation
4 41 method in paragraph "b", the credit percentages
4 42 applicable to qualified research expenses described in
4 43 ~~clauses (i), (ii), and (iii) of section 41(c)(4)(A)~~
4 44 ~~41(c)(5)(A) and clause (ii) of section 41(c)(5)(B)~~
4 45 ~~of the Internal Revenue Code are one and sixty-five~~
4 46 ~~hundredths percent, two and twenty hundredths percent,~~
4 47 ~~and two and seventy-five hundredths~~ four and fifty-five
4 48 hundredths percent and one and ninety-five hundredths
4 49 percent, respectively.

4 50 d. (1) For purposes of this subsection, "base



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5 1 amount", "basic research payment", and "qualified
5 2 research expense" mean the same as defined for the
5 3 federal credit for increasing research activities under
5 4 section 41 of the Internal Revenue Code, except that
5 5 for the alternative ~~incremental~~ simplified credit such
5 6 amounts are for research conducted within this state.
5 7 (2) For purposes of this subsection, "Internal
5 8 Revenue Code" means the Internal Revenue Code in effect
5 9 on January 1, ~~2009~~ 2011.
5 10 Sec. 14. EFFECTIVE UPON ENACTMENT. This division
5 11 of this Act, being deemed of immediate importance,
5 12 takes effect upon enactment.
5 13 Sec. 15. RETROACTIVE APPLICABILITY. The following
5 14 provision or provisions of this division of this Act
5 15 apply retroactively to July 1, 2010, for tax credits
5 16 awarded on or after that date:
5 17 1. The section of this Act amending section 15.335,
5 18 subsection 4.
5 19 2. The section of this Act amending section 15A.9.
5 20 Sec. 16. RETROACTIVE APPLICABILITY. The following
5 21 provision or provisions of this division of this Act
5 22 apply retroactively to January 1, 2010, for tax years
5 23 beginning on or after that date:
5 24 1. The section of this Act amending section 15.335,
5 25 subsection 7.
5 26 2. The section of this Act amending section 422.10,
5 27 subsection 1.
5 28 3. The section of this Act amending section 422.10,
5 29 subsection 3.
5 30 4. The section of this Act amending section 422.33.
5 31 DIVISION III
5 32 BONUS DEPRECIATION
5 33 Sec. 17. Section 422.5, subsection 2, paragraph
5 34 b, subparagraph (1), Code 2011, is amended to read as
5 35 follows:
5 36 (1) Add items of tax preference included in federal
5 37 alternative minimum taxable income under section 57,
5 38 except subsections (a)(1), (a)(2), and (a)(5), of the
5 39 Internal Revenue Code, make the adjustments included
5 40 in federal alternative minimum taxable income under
5 41 section 56, except subsections (a)(4), (b)(1)(C)(iii),
5 42 and (d), of the Internal Revenue Code, and add losses
5 43 as required by section 58 of the Internal Revenue
5 44 Code. To the extent that any preference or adjustment
5 45 is determined by an individual's federal adjusted
5 46 gross income, the individual's federal adjusted
5 47 gross income is computed in accordance with section
5 48 422.7, ~~subsection~~ subsections 39, 39A, 39B, and
5 49 53. In the case of an estate or trust, the items
5 50 of tax preference, adjustments, and losses shall



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6 1 be apportioned between the estate or trust and the
6 2 beneficiaries in accordance with rules prescribed by
6 3 the director.
6 4 Sec. 18. Section 422.7, Code 2011, is amended by
6 5 adding the following new subsections:
6 6 NEW SUBSECTION. 39A. The additional first=year
6 7 depreciation allowance authorized in section 168(k)
6 8 of the Internal Revenue Code, as enacted by Pub. L.
6 9 No. 110=185, section 103, Pub. L. No. 111=5, section
6 10 1201, Pub. L. No. 111=240, section 2022, and Pub. L.
6 11 No. 111=312, section 401, does not apply in computing
6 12 net income for state tax purposes. If the taxpayer has
6 13 taken the additional first=year depreciation allowance
6 14 for purposes of computing federal adjusted gross
6 15 income, then the taxpayer shall make the following
6 16 adjustments to federal adjusted gross income when
6 17 computing net income for state tax purposes:
6 18 a. Add the total amount of depreciation taken under
6 19 section 168(k) of the Internal Revenue Code for the tax
6 20 year.
6 21 b. Subtract the amount of depreciation allowable
6 22 under the modified accelerated cost recovery system
6 23 described in section 168 of the Internal Revenue Code
6 24 and calculated without regard to section 168(k).
6 25 c. Any other adjustments to gains or losses
6 26 necessary to reflect the adjustments made in paragraphs
6 27 "a" and "b". The director shall adopt rules for the
6 28 administration of this paragraph.
6 29 NEW SUBSECTION. 39B. The additional first=year
6 30 depreciation allowance authorized in section 168(n) of
6 31 the Internal Revenue Code, as enacted by Pub. L. No.
6 32 110=343, section 710, does not apply in computing net
6 33 income for state tax purposes. If the taxpayer has
6 34 taken the additional first=year depreciation allowance
6 35 for purposes of computing federal adjusted gross
6 36 income, then the taxpayer shall make the following
6 37 adjustments to federal adjusted gross income when
6 38 computing net income for state tax purposes:
6 39 a. Add the total amount of depreciation taken under
6 40 section 168(n) of the Internal Revenue Code for the tax
6 41 year.
6 42 b. Subtract the amount of depreciation allowable
6 43 under the modified accelerated cost recovery system
6 44 described in section 168 of the Internal Revenue Code
6 45 and calculated without regard to section 168(n).
6 46 c. Any other adjustments to gains or losses
6 47 necessary to reflect the adjustments made in paragraphs
6 48 "a" and "b". The director shall adopt rules for the
6 49 administration of this paragraph.
6 50 Sec. 19. Section 422.7, subsection 53, Code 2011,



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7 1 is amended to read as follows:

7 2 53. A taxpayer is not allowed to take the increased
7 3 expensing allowance under section 179 of the Internal
7 4 Revenue Code, as amended by Pub. L. No. ~~110=185~~ 111=5,
7 5 section 1202, in computing adjusted gross income for

7 6 state tax purposes.

7 7 Sec. 20. Section 422.9, subsection 2, paragraph h,
7 8 Code 2011, is amended to read as follows:

7 9 h. For purposes of calculating the deductions
7 10 in this subsection that are authorized under the
7 11 Internal Revenue Code, and to the extent that any
7 12 of such deductions is determined by an individual's
7 13 federal adjusted gross income, the individual's federal
7 14 adjusted gross income is computed in accordance with
7 15 section 422.7, ~~subsection~~ subsections 39, 39A, 39B, and
7 16 53.

7 17 Sec. 21. Section 422.35, Code 2011, is amended by
7 18 adding the following new subsections:

7 19 NEW SUBSECTION. 19A. The additional first=year
7 20 depreciation allowance authorized in section 168(k)
7 21 of the Internal Revenue Code, as enacted by Pub. L.
7 22 No. 110=185, section 103, Pub. L. No. 111=5, section
7 23 1201, Pub. L. No. 111=240, section 2022, and Pub. L.
7 24 No. 111=312, section 401, does not apply in computing
7 25 net income for state tax purposes. If the taxpayer has
7 26 taken the additional first=year depreciation allowance
7 27 for purposes of computing federal taxable income, then
7 28 the taxpayer shall make the following adjustments to
7 29 federal taxable income when computing net income for
7 30 state tax purposes:

7 31 a. Add the total amount of depreciation taken under
7 32 section 168(k) of the Internal Revenue Code for the tax
7 33 year.

7 34 b. Subtract the amount of depreciation allowable
7 35 under the modified accelerated cost recovery system
7 36 described in section 168 of the Internal Revenue Code
7 37 and calculated without regard to section 168(k).

7 38 c. Any other adjustments to gains or losses
7 39 necessary to reflect the adjustments made in paragraphs
7 40 "a" and "b". The director shall adopt rules for the
7 41 administration of this paragraph.

7 42 NEW SUBSECTION. 19B. The additional first=year
7 43 depreciation allowance authorized in section 168(n) of
7 44 the Internal Revenue Code, as enacted by Pub. L. No.
7 45 110=343, section 710, does not apply in computing net
7 46 income for state tax purposes. If the taxpayer has
7 47 taken the additional first=year depreciation allowance
7 48 for purposes of computing federal taxable income, then
7 49 the taxpayer shall make the following adjustments to
7 50 federal taxable income when computing net income for



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8 1 state tax purposes:
8 2 a. Add the total amount of depreciation taken under
8 3 section 168(n) of the Internal Revenue Code for the tax
8 4 year.
8 5 b. Subtract the amount of depreciation allowable
8 6 under the modified accelerated cost recovery system
8 7 described in section 168 of the Internal Revenue Code
8 8 and calculated without regard to section 168(n).
8 9 c. Any other adjustments to gains or losses
8 10 necessary to reflect the adjustments made in paragraphs
8 11 "a" and "b". The director shall adopt rules for the
8 12 administration of this paragraph.
8 13 Sec. 22. Section 422.35, subsection 24, Code 2011,
8 14 is amended to read as follows:
8 15 24. A taxpayer is not allowed to take the increased
8 16 expensing allowance under section 179 of the Internal
8 17 Revenue Code, as amended by Pub. L. No. ~~110-185~~ 111=5,
8 18 section 1202, in computing taxable income for state tax
8 19 purposes.
8 20 Sec. 23. EFFECTIVE UPON ENACTMENT. This division
8 21 of this Act, being deemed of immediate importance,
8 22 takes effect upon enactment.
8 23 Sec. 24. RETROACTIVE APPLICABILITY. The following
8 24 provision or provisions of this division of this Act
8 25 apply retroactively to January 1, 2008, for tax years
8 26 ending on or after that date:
8 27 1. The section of this Act amending section 422.5.
8 28 2. The section of this Act enacting section 422.7,
8 29 new subsections 39A and 39B.
8 30 3. The section of this Act amending section 422.9.
8 31 4. The section of this Act enacting section 422.35,
8 32 new subsections 19A and 19B.
8 33 Sec. 25. RETROACTIVE APPLICABILITY. The following
8 34 provision or provisions of this division of this Act
8 35 apply retroactively to January 1, 2009, for tax years
8 36 beginning on or after that date, and before January 1,
8 37 2010:
8 38 1. The section of this Act amending section 422.7,
8 39 subsection 53.
8 40 2. The section of this Act amending section 422.35,
8 41 subsection 24.
8 42 DIVISION IV
8 43 STATE PUBLIC DEFENDER TRANSFER
8 44 Sec. 26. TRANSFER AUTHORIZATION ==== STATE PUBLIC
8 45 DEFENDER.
8 46 1. Notwithstanding section 8.39, subsection 2,
8 47 while the general assembly is in regular session, the
8 48 director of the department of management, with the
8 49 approval of the governor, may make an interdepartmental
8 50 transfer from any other department, institution, or



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House Amendment 1506 continued

9 1 agency of the state having an appropriation in excess
9 2 of its needs, of sufficient funds to supplement the
9 3 following appropriations made to the office of the
9 4 public defender of the department of inspections and
9 5 appeals, in order to meet the obligations incurred
9 6 under the appropriations:
9 7 a. For the office of the state public defender, in
9 8 2010 Iowa Acts, chapter 1190, section 10, subsection 1.
9 9 b. For the fees of court-appointed attorneys for
9 10 indigent adults and juveniles, in accordance with
9 11 section 232.141 and chapter 815, in 2010 Iowa Acts,
9 12 chapter 1190, section 10, subsection 2.
9 13 2. A transfer made under this section is subject
9 14 to the notice and reporting requirements applicable
9 15 to transfers made under section 8.39. However, the
9 16 chairpersons' review and comment period under section
9 17 8.39, subsection 3, is not applicable.
9 18 Sec. 27. EFFECTIVE UPON ENACTMENT. This division
9 19 of this Act, being deemed of immediate importance,
9 20 takes effect upon enactment.>
9 21 #2. Title page, by striking lines 1 through 3 and
9 22 inserting <An Act relating to public funding matters by
9 23 updating the Code references to the Internal Revenue
9 24 Code and by decoupling from certain federal bonus
9 25 depreciation provisions, authorizing appropriation
9 26 transfers, and including effective date and retroactive
9 27 applicability provisions.>
9 28 #3. By renumbering as necessary.

COMMITTEE ON WAYS AND MEANS
SANDS of Louisa, Chairperson
SF512.2216 (2) 84
jp/tm



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House Amendment 1507

PAG LIN

1 1 Amend the amendment, H=1485, to Senate File 508, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 12, after line 25 by inserting:
1 4 <Sec. _____. EXPENDITURE REPORT. Each department,
1 5 agency, or authority receiving an appropriation of
1 6 federal funds pursuant to this Act for the federal
1 7 fiscal year beginning October 1, 2011, or October 1,
1 8 2012, shall submit a detailed plan for the expenditure
1 9 of the federal funds designated for departmental
1 10 administrative expenses to the members of the joint
1 11 appropriations subcommittee with jurisdiction over
1 12 the state appropriations for the department, agency,
1 13 or authority. The plan shall be submitted at least
1 14 60 calendar days prior to the commencement of the
1 15 federal fiscal year to which the plan applies and shall
1 16 be accompanied by a detailed report on the actual
1 17 department administrative expenditures for the federal
1 18 fiscal year in progress and the most recently completed
1 19 federal fiscal year, both in a form acceptable to the
1 20 legislative services agency.>
1 21 #2. By renumbering as necessary.

RUNNING=MARQUARDT of Linn
H1485.2189 (1) 84
jp/tm



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House Amendment 1508

PAG LIN

1 1 Amend the amendment, H=1506, to Senate File 512, as
1 2 passed by the Senate, as follows:
1 3 #1. By striking page 8, line 42, through page 9,
1 4 line 17, and inserting:
1 5 <DIVISION iV
1 6 PUBLIC DEFENDER APPROPRIATIONS
1 7 Sec. _____. STATE PUBLIC DEFENDER. After applying
1 8 the reductions made pursuant to 2010 Iowa Acts, chapter
1 9 1193, section 27, to the appropriations made for the
1 10 following designated purposes, there is appropriated
1 11 from the general fund of the state to the office of the
1 12 state public defender of the department of inspections
1 13 and appeals for the fiscal year beginning July 1,
1 14 2010, and ending June 30, 2011, the following amounts,
1 15 or so much thereof as is necessary, to supplement
1 16 the appropriations made for the following designated
1 17 purposes:
1 18 1. For the office of the state public defender, in
1 19 2010 Iowa Acts, chapter 1190, section 10, subsection 1:
1 20 \$ 2,551,500
1 21 2. For the fees of court-appointed attorneys for
1 22 indigent adults and juveniles, in accordance with
1 23 section 232.141 and chapter 815, in 2010 Iowa Acts,
1 24 chapter 1190, section 10, subsection 2:
1 25 \$ 16,000,000>
1 26 #2. Page 9, lines 25 and 26, by striking
1 27 <authorizing appropriation transfers> and inserting
1 28 <making appropriations>
1 29 #3. By renumbering as necessary.

SWAIM of Davis

R. OLSON of Polk
H1506.2224 (2) 84
jp/tm



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House Amendment 1509

PAG LIN

1 1 Amend the amendment, H=1485, to Senate File 508, as
1 2 passed by the Senate, as follows:
1 3 #1. Page 1, after line 3 by inserting:
1 4 <DIVISION _____
1 5 FY 2010=2011
1 6 Sec. _____. STATE PUBLIC DEFENDER. After applying
1 7 the reductions made pursuant to 2010 Iowa Acts, chapter
1 8 1193, section 27, to the appropriations made for the
1 9 following designated purposes, there is appropriated
1 10 from the general fund of the state to the office of the
1 11 state public defender of the department of inspections
1 12 and appeals for the fiscal year beginning July 1,
1 13 2010, and ending June 30, 2011, the following amounts,
1 14 or so much thereof as is necessary, to supplement
1 15 the appropriations made for the following designated
1 16 purposes:
1 17 1. For the office of the state public defender, in
1 18 2010 Iowa Acts, chapter 1190, section 10, subsection 1:
1 19 \$ 2,551,500
1 20 2. For the fees of court-appointed attorneys for
1 21 indigent adults and juveniles, in accordance with
1 22 section 232.141 and chapter 815, in 2010 Iowa Acts,
1 23 chapter 1190, section 10, subsection 2:
1 24 \$ 16,000,000
1 25 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
1 26 of this Act, being deemed of immediate importance,
1 27 takes effect upon enactment.>
1 28 #2. Page 13, before line 29 by inserting:
1 29 <____. Title page, line 7, after <anticipated> by
1 30 inserting <, and making other appropriations, and
1 31 including effective date provisions>>
1 32 #3. By renumbering as necessary.

SWAIM of Davis

R. OLSON of Polk
H1485.2225 (1) 84
jp/tm



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House Amendment 1510

PAG LIN

1 1 Amend Senate File 490, as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. Page 2, after line 20 by inserting:
1 4 <e. The financial institution offering the savings
1 5 promotion drawing account does not reduce any interest
1 6 rate or charge participants any additional fees as a
1 7 means of funding such promotion when compared to other
1 8 similar savings accounts, time deposits, or other
1 9 savings programs offered by the financial institution.
1 10 f. The financial institution offering the savings
1 11 promotion drawing account provides all participants
1 12 with a clear and conspicuous disclosure when opening
1 13 a savings promotion drawing account. This disclosure
1 14 shall provide all participants with clear information
1 15 on the chances or odds of winning any prize offered
1 16 pursuant to the savings promotion drawing account.>

COMMITTEE ON STATE GOVERNMENT
COWNIE of Polk, Chairperson
SF490.2156 (3) 84
aw/nh



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House Amendment 1511

PAG LIN

1 1 Amend House File 561 as follows:

1 2 #1. Page 2, line 1, after <2.> by inserting <a.>

1 3 #2. Page 2, after line 20 by inserting:

1 4 <b. The general assembly recognizes that to

1 5 maximize the potential for significant job creation,

1 6 economic development, and competitive advantage derived

1 7 from a robust nuclear industry, a significant workforce

1 8 is required to construct and operate new nuclear power

1 9 plants. Such jobs include skilled trades, such as

1 10 welders, pipe fitters, masons, carpenters, millwrights,

1 11 sheet metal workers, electricians, and heavy equipment

1 12 operators, in addition to nuclear reactor operators,

1 13 radiation protection specialists, and nuclear,

1 14 mechanical, and electrical engineers. In order for

1 15 this state to lead the nation in developing this

1 16 skilled workforce and to maximize economic development

1 17 related to nuclear electric power generation, the

1 18 general assembly intends for the state to undertake the

1 19 following:

1 20 (1) Create and implement plans to assess and

1 21 enhance educational and training systems to develop a

1 22 next-generation nuclear workforce.

1 23 (2) Assess the adequacy and potential expansion

1 24 of supply chain infrastructure to support the growing

1 25 nuclear industry.

1 26 (3) Recommend steps to attract new nuclear-related

1 27 businesses.

1 28 (4) Evaluate the economic development impact

1 29 affordable nuclear electric power generation will have

1 30 on the expansion and retention of existing industry.>

1 31 #3. Page 9, after line 34 by inserting:

1 32 <Sec. _____. NUCLEAR ELECTRIC POWER GENERATION ====

1 33 ECONOMIC DEVELOPMENT OPPORTUNITIES ==== TASK FORCE. The

1 34 governor shall appoint a task force to evaluate the

1 35 economic development opportunities created through

1 36 nuclear electric power generation in this state and to

1 37 develop specific plans to maximize these opportunities.

1 38 Task force members appointed by the governor shall

1 39 include but not be limited to representatives from

1 40 the state board of regents, the community colleges,

1 41 the Iowa department of workforce development, the

1 42 department of economic development, the department of

1 43 education, and utility industry leaders. The governor

1 44 shall appoint a chairperson from among the members.

1 45 The task force shall submit a report summarizing its

1 46 evaluation and containing recommendations to the

1 47 general assembly by January 1, 2012.>

1 48 #4. By renumbering as necessary.



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MURPHY of Dubuque
HF561.2176 (1) 84
rn/nh



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House Amendment 1512

PAG LIN

1 1 Amend House File 648 as follows:
1 2 #1. By striking everything after the enacting clause
1 3 and inserting:
1 4
1 5 <DIVISION I
1 6 REBUILD IOWA INFRASTRUCTURE FUND
1 7 Section 1. There is appropriated from the rebuild
1 8 Iowa infrastructure fund to the following departments
1 9 and agencies for the following fiscal years, the
1 10 following amounts, or so much thereof as is necessary,
1 11 to be used for the purposes designated:
1 12 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
1 13 a. For projects related to major repairs and major
1 14 maintenance for state buildings and facilities:
1 15 FY 2011=2012..... \$ 5,500,000
1 16 FY 2012=2013..... \$ 6,000,000
1 17 b. For repair, replacement, and refurbishing of
1 18 exterior granite wall panels, skylights, exterior
1 19 sealant, and related exterior improvements of the state
1 20 historical building:
1 21 FY 2011=2012..... \$ 1,200,000
1 22 c. For infrastructure improvements, including fire
1 23 safety and security systems, in the secretary of state
1 24 offices in the Lucas state office building:
1 25 FY 2011=2012..... \$ 45,000
1 26 d. For fire protection improvements at the
1 27 facilities management center and central energy plant
1 28 on the capitol complex:
1 29 FY 2012=2013..... \$ 2,000,000
1 30 e. For renovation, repairs, replacement, and
1 31 related improvements to extend the useful life
1 32 of buildings on the capitol complex and to make
1 33 improvements, including improvements relating to safety
1 34 and building code requirements, to the capitol complex
1 35 grounds:
1 36 FY 2012=2013..... \$ 2,000,000
1 37 2. DEPARTMENT FOR THE BLIND
1 38 For replacement of air handlers and related
1 39 improvements:
1 40 FY 2011=2012..... \$ 1,065,674
1 41 3. DEPARTMENT OF CORRECTIONS
1 42 a. For the construction project and one-time
1 43 furniture, fixture, and equipment costs at Fort
1 44 Madison:
1 45 FY 2011=2012..... \$ 7,155,077
1 46 FY 2012=2013..... \$ 16,269,124
1 47 FY 2013=2014..... \$ 3,000,000
1 48 b. For the construction project and one-time
1 49 equipment costs at the Iowa correctional facility for
1 50 women at Mitchellville:
1 51 FY 2011=2012..... \$ 5,861,556



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House Amendment 1512 continued

2 1	FY 2012=2013.....	\$ 2,891,062
2 2	FY 2013=2014.....	\$ 26,769,040
2 3	4. DEPARTMENT OF CULTURAL AFFAIRS	
2 4	For deposit into the Iowa great places program	
2 5	fund created in section 303.3D for Iowa great places	
2 6	program projects that meet the definition of the term	
2 7	"vertical infrastructure" in section 8.57, subsection	
2 8	6, paragraph "c":	
2 9	FY 2012=2013.....	\$ 2,000,000
2 10	5. DEPARTMENT OF ECONOMIC DEVELOPMENT	
2 11	For accelerated career education program capital	
2 12	projects at community colleges that are authorized	
2 13	under chapter 260G and that meet the definition of	
2 14	vertical infrastructure in section 8.57, subsection 6,	
2 15	paragraph "c":	
2 16	FY 2011=2012.....	\$ 5,000,000
2 17	FY 2012=2013.....	\$ 5,500,000
2 18	6. DEPARTMENT OF EDUCATION	
2 19	To the public broadcasting division for the purchase	
2 20	of a building in the city of Johnston:	
2 21	FY 2011=2012.....	\$ 1,255,550
2 22	7. DEPARTMENT OF NATURAL RESOURCES	
2 23	a. For floodplain management and dam safety,	
2 24	notwithstanding section 8.57, subsection 6,	
2 25	paragraph "c":	
2 26	FY 2011=2012.....	\$ 2,000,000
2 27	Of the amounts appropriated in this lettered	
2 28	paragraph, up to \$400,000 is authorized for stream	
2 29	gages to be used for tracking and predicting flood	
2 30	events and for compiling necessary data relating to	
2 31	flood frequency analysis.	
2 32	b. For implementation of lake projects that	
2 33	have established watershed improvement initiatives	
2 34	and community support in accordance with the	
2 35	department's annual lake restoration plan and report,	
2 36	notwithstanding section 8.57, subsection 6, paragraph	
2 37	"c":	
2 38	FY 2011=2012.....	\$ 8,600,000
2 39	8. DEPARTMENT OF PUBLIC DEFENSE	
2 40	a. For major maintenance projects at national guard	
2 41	armories and facilities:	
2 42	FY 2011=2012.....	\$ 2,000,000
2 43	FY 2012=2013.....	\$ 2,000,000
2 44	b. For renovation and facility improvements at the	
2 45	Muscatine readiness center:	
2 46	FY 2011=2012.....	\$ 100,000
2 47	c. For construction improvement projects at	
2 48	statewide readiness centers:	
2 49	FY 2011=2012.....	\$ 1,800,000
2 50	FY 2012=2013.....	\$ 1,800,000



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3 1 d. For construction upgrades at Camp Dodge
3 2 including sanitary system and sewer system
3 3 improvements:
3 4 FY 2011=2012..... \$ 1,000,000
3 5 FY 2012=2013..... \$ 1,000,000
3 6 e. For renovation, repair, and related improvements
3 7 at the joint force headquarters building:
3 8 FY 2011=2012..... \$ 1,000,000
3 9 f. For renovation and facility improvements at the
3 10 Dubuque readiness center:
3 11 FY 2012=2013..... \$ 500,000
3 12 9. BOARD OF REGENTS
3 13 a. For allocation by the state board of regents to
3 14 the state university of Iowa, the Iowa state university
3 15 of science and technology, and the university of
3 16 northern Iowa to reimburse the institutions for
3 17 deficiencies in the operating funds resulting from
3 18 the pledging of tuition, student fees and charges,
3 19 and institutional income to finance the cost of
3 20 providing academic and administrative buildings and
3 21 facilities and utility services at the institutions,
3 22 notwithstanding section 8.57, subsection 6, paragraph
3 23 "c":
3 24 FY 2011=2012..... \$ 24,305,412
3 25 b. For the Iowa flood center at the state
3 26 university of Iowa for use by the university's
3 27 college of engineering, pursuant to section 466C.1,
3 28 notwithstanding section 8.57, subsection 6, paragraph
3 29 "c":
3 30 FY 2011=2012..... \$ 1,300,000
3 31 c. For fire, safety and other major maintenance
3 32 projects at the regents institutions:
3 33 FY 2011=2012..... \$ 4,000,000
3 34 FY 2012=2013..... \$ 4,000,000
3 35 d. For construction, renovation, and related
3 36 improvements for phase II of the agricultural and
3 37 biosystems engineering complex, including classrooms,
3 38 laboratories, and offices at Iowa state university of
3 39 science and technology:
3 40 FY 2011=2012..... \$ 3,000,000
3 41 FY 2012=2013..... \$ 22,000,000
3 42 FY 2013=2014..... \$ 22,000,000
3 43 FY 2014=2015..... \$ 13,400,000
3 44 e. For the renovation and related improvements to
3 45 the dental science building at the state university
3 46 of Iowa including but not limited to renovation of
3 47 clinical spaces and development of a multidisciplinary
3 48 clinical area:
3 49 FY 2011=2012..... \$ 3,000,000
3 50 FY 2012=2013..... \$ 14,000,000



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4	1	FY 2013=2014.....	\$ 10,000,000
4	2	FY 2014=2015.....	\$ 2,000,000
4	3	f. For renovation and related improvements for	
4	4	Bartlett hall at the university of northern Iowa	
4	5	including providing faculty offices, seminar rooms,	
4	6	and laboratories in the building and the associated	
4	7	demolition of Baker hall:	
4	8	FY 2011=2012.....	\$ 2,000,000
4	9	FY 2012=2013.....	\$ 9,808,000
4	10	FY 2013=2014.....	\$ 8,192,000
4	11	FY 2014=2015.....	\$ 1,000,000
4	12	10. DEPARTMENT OF TRANSPORTATION	
4	13	a. For acquiring, constructing, and improving	
4	14	recreational trails within the state:	
4	15	FY 2011=2012.....	\$ 2,000,000
4	16	FY 2012=2013.....	\$ 2,000,000
4	17	b. For deposit into the public transit	
4	18	infrastructure grant fund created in section 324A.6A,	
4	19	for projects that meet the definition of "vertical	
4	20	infrastructure" in section 8.57, subsection 6,	
4	21	paragraph "c":	
4	22	FY 2011=2012.....	\$ 2,000,000
4	23	FY 2012=2013.....	\$ 2,000,000
4	24	c. For infrastructure improvements at the	
4	25	commercial service airports within the state:	
4	26	FY 2011=2012.....	\$ 1,500,000
4	27	FY 2012=2013.....	\$ 1,500,000
4	28	d. For infrastructure improvements at general	
4	29	aviation airports within the state:	
4	30	FY 2011=2012.....	\$ 750,000
4	31	FY 2012=2013.....	\$ 750,000
4	32	11. TREASURER OF STATE	
4	33	For distribution in accordance with chapter 174 to	
4	34	qualified fairs which belong to the association of Iowa	
4	35	fairs for county fair infrastructure improvements:	
4	36	FY 2011=2012.....	\$ 1,060,000
4	37	FY 2012=2013.....	\$ 1,060,000
4	38	12. DEPARTMENT OF VETERANS AFFAIRS	
4	39	a. For transfer to the Iowa finance authority for	
4	40	the continuation of the home ownership assistance	
4	41	program for persons who are or were eligible members	
4	42	of the armed forces of the United States, pursuant to	
4	43	section 16.54, notwithstanding section 8.57, subsection	
4	44	6, paragraph "c":	
4	45	FY 2011=2012.....	\$ 1,000,000
4	46	b. For the Iowa veterans home to upgrade generator	
4	47	emissions controls to meet required stack emissions for	
4	48	four generators and related improvements:	
4	49	FY 2011=2012.....	\$ 750,000
4	50	Sec. 2. REVERSION. For purposes of section 8.33,	



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5 1 unless specifically provided otherwise, unencumbered
5 2 or unobligated moneys made from an appropriation in
5 3 this division of this Act shall not revert but shall
5 4 remain available for expenditure for the purposes
5 5 designated until the close of the fiscal year that ends
5 6 three years after the end of the fiscal year for which
5 7 the appropriation is made. However, if the project
5 8 or projects for which such appropriation was made are
5 9 completed in an earlier fiscal year, unencumbered or
5 10 unobligated moneys shall revert at the close of that
5 11 same fiscal year.

DIVISION II

TECHNOLOGY REINVESTMENT FUND

5 13
5 14 Sec. 3. There is appropriated from the technology
5 15 reinvestment fund created in section 8.57C to the
5 16 following departments and agencies for the following
5 17 fiscal years, the following amounts, or so much
5 18 thereof as is necessary, to be used for the purposes
5 19 designated:

5 20 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

5 21 For technology improvement projects:

5 22 FY 2011=2012..... \$ 1,643,728

5 23 2. DEPARTMENT OF CORRECTIONS

5 24 For costs associated with the Iowa corrections
5 25 offender network data system:

5 26 FY 2011=2012..... \$ 500,000

5 27 FY 2012=2013..... \$ 500,000

5 28 3. DEPARTMENT OF EDUCATION

5 29 a. For maintenance and lease costs associated with
5 30 connections for part III of the Iowa communications
5 31 network:

5 32 FY 2011=2012..... \$ 2,727,000

5 33 FY 2012=2013..... \$ 2,727,000

5 34 b. For the implementation of an educational data
5 35 warehouse that will be utilized by teachers, parents,
5 36 school district administrators, area education agency
5 37 staff, department of education staff, and policymakers:

5 38 FY 2011=2012..... \$ 600,000

5 39 FY 2012=2013..... \$ 600,000

5 40 The department may use a portion of the moneys
5 41 appropriated in this lettered paragraph for an
5 42 e=transcript data system capable of tracking students
5 43 throughout their education via interconnectivity with
5 44 multiple schools.

5 45 4. DEPARTMENT OF HUMAN RIGHTS

5 46 For the cost of equipment and computer software
5 47 for the implementation of Iowa's criminal justice
5 48 information system:

5 49 FY 2011=2012..... \$ 1,689,307

5 50 FY 2012=2013..... \$ 1,256,747



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6 1 5. DEPARTMENT OF HUMAN SERVICES
6 2 To be used for medical contracts under the
6 3 medical assistance program for technology upgrades
6 4 necessary to support Medicaid claims and other health
6 5 operations, worldwide HIPAA claims transactions and
6 6 coding requirements, and the Iowa automated benefits
6 7 calculation system:
6 8 FY 2011=2012..... \$ 3,494,176
6 9 FY 2012=2013..... \$ 4,667,600
6 10 FY 2013=2014..... \$ 4,267,600
6 11 FY 2014=2015..... \$ 1,945,684
6 12 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY
6 13 COMMISSION
6 14 For replacement of equipment for the Iowa
6 15 communications network:
6 16 FY 2011=2012..... \$ 2,248,653
6 17 FY 2012=2013..... \$ 2,248,653
6 18 The commission may continue to enter into contracts
6 19 pursuant to section 8D.13 for the replacement of
6 20 equipment and for operation and maintenance costs of
6 21 the network.
6 22 In addition to funds appropriated in this
6 23 subsection, the commission may use a financing
6 24 agreement entered into by the treasurer of state in
6 25 accordance with section 12.28 for the replacement
6 26 of equipment for the network. For purposes of this
6 27 subsection, the treasurer of state is not subject to
6 28 the maximum principal limitation contained in section
6 29 12.28, subsection 6. Repayment of any amounts financed
6 30 shall be made from receipts associated with fees
6 31 charged for use of the network.
6 32 7. DEPARTMENT OF MANAGEMENT
6 33 To develop a searchable database that can be placed
6 34 on the internet for budget and financial information:
6 35 FY 2011=2012..... \$ 600,000
6 36 8. DEPARTMENT OF PUBLIC SAFETY
6 37 For the provision of local public safety radio
6 38 communications upgrades to comply with federal
6 39 narrowbanding transition requirements under the federal
6 40 communication commission narrowbanding mandate:
6 41 FY 2011=2012..... \$ 3,500,000
6 42 FY 2012=2013..... \$ 5,500,000
6 43 FY 2013=2014..... \$ 3,500,000
6 44 Of the amounts appropriated in this subsection,
6 45 the department of public safety shall work with the
6 46 departments of corrections and natural resources
6 47 to accomplish the radio communications upgrades and
6 48 digital radio conversions.
6 49 Sec. 4. REVERSION. For purposes of section 8.33,
6 50 unless specifically provided otherwise, unencumbered



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7 1 or unobligated moneys made from an appropriation in
7 2 this division of this Act shall not revert but shall
7 3 remain available for expenditure for the purposes
7 4 designated until the close of the fiscal year that ends
7 5 three years after the end of the fiscal year for which
7 6 the appropriation is made. However, if the project
7 7 or projects for which such appropriation was made are
7 8 completed in an earlier fiscal year, unencumbered or
7 9 unobligated moneys shall revert at the close of that
7 10 same fiscal year.

7 11 DIVISION III
7 12 REVENUE BONDS CAPITALS
7 13 FUND ==== APPROPRIATIONS

7 14 Sec. 5. There is appropriated from the revenue
7 15 bonds capitals fund created in section 12.88, to the
7 16 department of corrections for the fiscal year beginning
7 17 July 1, 2011, and ending June 30, 2012, the following
7 18 amount, or so much thereof as is necessary, to be used
7 19 for the purposes designated:

7 20 For the construction project and one-time equipment
7 21 costs at the Iowa correctional facility for women at
7 22 Mitchellville:

7 23 \$ 4,130,952

7 24 For purposes of section 8.33, unless specifically
7 25 provided otherwise, unencumbered or unobligated moneys
7 26 made from an appropriation in this section shall not
7 27 revert but shall remain available for expenditure for
7 28 the purposes designated until the close of the fiscal
7 29 year that ends three years after the end of the fiscal
7 30 year for which the appropriation was made. However, if
7 31 the project or projects for which such appropriation
7 32 was made are completed in an earlier fiscal year,
7 33 unencumbered or unobligated moneys shall revert at the
7 34 close of that same fiscal year.

7 35 DIVISION IV
7 36 GENERAL FUND ==== APPROPRIATION

7 37 Sec. 6. There is appropriated from the general fund
7 38 of the state to the department of transportation for
7 39 the fiscal year beginning July 1, 2012, and ending June
7 40 30, 2013, the following amount, or so much thereof as
7 41 is necessary, to be used for the purposes designated:

7 42 For deposit into the railroad revolving loan and
7 43 grant fund created in section 327H.20A:

7 44 \$ 2,000,000

7 45 DIVISION V
7 46 MISCELLANEOUS CODE CHANGES

7 47 Sec. 7. Section 8.57, subsection 6, paragraph f,
7 48 Code 2011, is amended to read as follows:

7 49 f. There is appropriated from the rebuild Iowa
7 50 infrastructure fund to the secure an advanced vision



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8 1 for education fund created in section 423F.2, for each
8 2 fiscal year of the fiscal period beginning July 1,
8 3 2008, and ending June 30, 2010, ~~and for each fiscal~~
~~8 4 year of the fiscal period beginning July 1, 2011,~~
~~8 5 and ending June 30, 2014,~~ the amount of the moneys
8 6 in excess of the first forty-seven million dollars
8 7 credited to the rebuild Iowa infrastructure fund during
8 8 the fiscal year, not to exceed ten million dollars.
8 9 Sec. 8. Section 8.57A, subsection 4, Code 2011, is
8 10 amended to read as follows:
8 11 4. a. There is appropriated from the rebuild
8 12 Iowa infrastructure fund for the fiscal ~~years~~ year
8 13 beginning ~~July 1, 2008, July 1, 2009, and July 1, 2011~~
~~8 14 2013,~~ and for each fiscal year thereafter, the sum
8 15 of forty-two million dollars to the environment first
8 16 fund, notwithstanding section 8.57, subsection 6,
8 17 paragraph "c".
8 18 b. There is appropriated from the rebuild Iowa
8 19 infrastructure fund each fiscal year for the ~~fiscal~~
~~8 20 year period~~ beginning July 1, 2010, and ending June 30,
8 21 ~~2011~~ 2012, the sum of thirty-three million dollars to
8 22 the environment first fund, notwithstanding section
8 23 8.57, subsection 6, paragraph "c".
8 24 c. There is appropriated from the rebuild Iowa
8 25 infrastructure fund for the fiscal year beginning
8 26 July 1, 2012, and ending June 30, 2013, the sum of
8 27 thirty-five million dollars to the environment first
8 28 fund, notwithstanding section 8.57, subsection 6,
8 29 paragraph "c".
8 30 Sec. 9. Section 8.57C, subsection 3, paragraphs a
8 31 and c, Code 2011, are amended to read as follows:
8 32 a. There is appropriated from the general fund of
8 33 the state for the fiscal ~~years~~ year beginning ~~July 1,~~
~~8 34 2006, July 1, 2007,~~ July 1, 2011 2012, and for each
8 35 subsequent fiscal year thereafter, the sum of seventeen
8 36 million five hundred thousand dollars to the technology
8 37 reinvestment fund.
8 38 c. There is appropriated from the rebuild Iowa
8 39 infrastructure fund for the fiscal year beginning
8 40 July 1, 2010, and ending June 30, 2011, the sum of ten
8 41 million dollars to the technology reinvestment fund,
8 42 notwithstanding section 8.57, subsection 6, paragraph
8 43 "c".
8 44 Sec. 10. Section 8.57C, subsection 3, Code 2011, is
8 45 amended by adding the following new paragraph:
8 46 NEW PARAGRAPH. d. There is appropriated from the
8 47 rebuild Iowa infrastructure fund for the fiscal year
8 48 beginning July 1, 2011, and ending June 30, 2012, the
8 49 sum of seventeen million dollars to the technology
8 50 reinvestment fund, notwithstanding section 8.57,



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9 1 subsection 6, paragraph "c".

9 2 Sec. 11. Section 12.82, subsection 1, Code 2011, is
9 3 amended to read as follows:

9 4 1. A school infrastructure fund is created and
9 5 established as a separate and distinct fund in the
9 6 state treasury under the control of the department of
9 7 education. ~~The Notwithstanding any other provision~~
9 8 ~~of this chapter, the fund shall be used for purposes~~
9 9 ~~of the school infrastructure program established in~~
9 10 ~~section 292.2.~~

9 11 Sec. 12. Section 12.82, Code 2011, is amended by
9 12 adding the following new subsection:

9 13 NEW SUBSECTION. 3A. Any amounts remaining in the
9 14 school infrastructure fund at the end of the fiscal
9 15 year beginning July 1, 2010, and for each fiscal year
9 16 thereafter, which are determined by the treasurer of
9 17 state to be unencumbered and unobligated and otherwise
9 18 unnecessary to make the payments for such fiscal year,
9 19 shall be transferred to the rebuild Iowa infrastructure
9 20 fund.

9 21 Sec. 13. Section 15F.204, subsection 8, paragraph
9 22 b, Code 2011, is amended by striking the paragraph.

9 23 Sec. 14. Section 16.181A, subsection 1, Code 2011,
9 24 is amended to read as follows:

9 25 1. There is appropriated from the rebuild Iowa
9 26 infrastructure fund to the Iowa finance authority for
9 27 deposit in the housing trust fund created in section
9 28 16.181, for the fiscal year ~~beginning July 1, 2009, and~~
9 29 ~~beginning July 1, 2011~~ 2012, and for each succeeding
9 30 fiscal year, the sum of three million dollars.

9 31 Sec. 15. Section 16.193, subsection 2, Code 2011,
9 32 is amended to read as follows:

9 33 2. ~~During the term of the Iowa jobs program~~
9 34 ~~established in section 16.194 and the Iowa jobs II~~
9 35 ~~program established in section 16.194A For the period~~
9 36 ~~beginning July 1, 2009, and ending June 30, 2011, two~~
9 37 hundred thousand dollars of the moneys deposited in the
9 38 rebuild Iowa infrastructure fund shall be allocated
9 39 each fiscal year to the Iowa finance authority for
9 40 purposes of administering the Iowa jobs program,
9 41 notwithstanding section 8.57, subsection 6, paragraph
9 42 "c".

9 43 Sec. 16. EFFECTIVE UPON ENACTMENT. The section of
9 44 this division amending section 12.82, being deemed of
9 45 immediate importance, takes effect upon enactment.

9 46 DIVISION VI

9 47 CHANGES TO PRIOR APPROPRIATIONS

9 48 Sec. 17. 2006 Iowa Acts, chapter 1179, section 18,
9 49 is amended by adding the following new subsection:

9 50 NEW SUBSECTION. 5. Except for the allocation to



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10 1 Des Moines area community college and notwithstanding
10 2 section 8.33, moneys appropriated from the endowment
10 3 for Iowa's health restricted capitals fund for the
10 4 fiscal year beginning July 1, 2006, and ending June 30,
10 5 2007, in this division of this Act to the department of
10 6 public safety for allocation to the division of fire
10 7 protection that remain unencumbered or unobligated
10 8 at the close of the fiscal year shall not revert
10 9 but shall remain available for expenditure for the
10 10 purposes designated until the close of the fiscal year
10 11 beginning July 1, 2011, or until the project for which
10 12 appropriated is completed, whichever is earlier. This
10 13 subsection shall apply in lieu of subsection 1 of this
10 14 section.

10 15 Sec. 18. 2007 Iowa Acts, chapter 219, section 2, is
10 16 amended to read as follows:

10 17 SEC. 2. REVERSION.

10 18 1. ~~Notwithstanding~~ Except as provided in subsection
10 19 2 and notwithstanding section 8.33, moneys appropriated
10 20 for the fiscal year beginning July 1, 2007, in this
10 21 division of this Act that remain unencumbered or
10 22 unobligated at the close of the fiscal year shall not
10 23 revert but shall remain available for the purposes
10 24 designated until the close of the fiscal year that
10 25 begins July 1, 2010, or until the project for which
10 26 the appropriation was made is completed, whichever is
10 27 earlier.

10 28 2. Notwithstanding section 8.33, moneys
10 29 appropriated in section 1, subsection 1, paragraphs
10 30 "a" and "f" of this division of this Act that remain
10 31 unencumbered or unobligated at the close of the fiscal
10 32 year for which they were appropriated shall not revert
10 33 but shall remain available for the purposes designated
10 34 until the close of the fiscal year that begins July 1,
10 35 2011, or until the project for which the appropriation
10 36 was made is completed, whichever is earlier.

10 37 Sec. 19. 2008 Iowa Acts, chapter 1179, section 1,
10 38 subsection 13, paragraph c, as amended by 2009 Iowa
10 39 Acts, chapter 184, section 22, is amended by striking
10 40 the paragraph.

10 41 Sec. 20. 2008 Iowa Acts, chapter 1179, section 7,
10 42 as amended by 2009 Iowa Acts, chapter 173, section
10 43 21, and 2010 Iowa Acts, chapter 1184, section 58, is
10 44 amended to read as follows:

10 45 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There
10 46 is appropriated from the rebuild Iowa infrastructure
10 47 fund to the department of economic development for
10 48 the designated fiscal years the following amounts, or
10 49 so much thereof as is necessary, to be used for the
10 50 purposes designated:



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11 1 For deposit into the river enhancement community
11 2 attraction and tourism fund created in 2008 Iowa Acts,
11 3 Senate File 2430, if enacted:
11 4 FY 2009=2010 \$ 0
11 5 FY 2010=2011..... \$ 0
11 6 FY 2011=2012 \$ 10,000,000
11 7 0
11 8 FY 2012=2013 \$ 10,000,000
11 9 0
11 10 ~~Notwithstanding section 8.33, moneys appropriated~~
~~11 11 in this section for the fiscal year beginning July~~
~~11 12 1, 2011, and ending June 30, 2012, shall not revert~~
~~11 13 at the close of the fiscal year for which they are~~
~~11 14 appropriated but shall remain available for the purpose~~
~~11 15 designated until the close of the fiscal year that~~
~~11 16 begins July 1, 2014, or until the project for which~~
~~11 17 the appropriation was made is completed, whichever is~~
~~11 18 earlier.~~
11 19 ~~Notwithstanding section 8.33, moneys appropriated~~
~~11 20 in this section for the fiscal year beginning July~~
~~11 21 1, 2012, and ending June 30, 2013, shall not revert~~
~~11 22 at the close of the fiscal year for which they are~~
~~11 23 appropriated but shall remain available for the purpose~~
~~11 24 designated until the close of the fiscal year that~~
~~11 25 begins July 1, 2015, or until the project for which~~
~~11 26 the appropriation was made is completed, whichever is~~
~~11 27 earlier.~~
11 28 Sec. 21. 2009 Iowa Acts, chapter 184, section 1,
11 29 subsection 12, paragraph a, as amended by 2010 Iowa
11 30 Acts, chapter 1184, section 71, is amended to read as
11 31 follows:
11 32 a. For deposit in the passenger rail service
11 33 revolving fund created in section 327J.2,
11 34 notwithstanding section 8.57, subsection 6, paragraph
11 35 "c":
11 36 \$ 3,000,000
11 37 302,007
11 38 Sec. 22. 2010 Iowa Acts, chapter 1184, section 2,
11 39 subsection 3, is amended to read as follows:
11 40 3. DEPARTMENT OF TRANSPORTATION
11 41 For deposit into the passenger rail service
11 42 revolving fund created in section 327J.2 for matching
11 43 federal funding available through the federal Passenger
11 44 Rail Investment and Improvement Act of 2008 for
11 45 passenger rail service, notwithstanding section 8.57,
11 46 subsection 6, paragraph "c":
11 47 FY 2011=2012..... \$ 6,500,000
11 48 0
11 49 ~~It is the intent of the general assembly to fund~~
~~11 50 up to \$20 million over a four-year period to fully~~



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~~12 1 fund the state commitment for matching federal funding~~
~~12 2 available through the federal Passenger Rail Investment~~
~~12 3 and Improvement Act of 2008.~~
12 4 Sec. 23. 2010 Iowa Acts, chapter 1184, section 10,
12 5 subsection 8, is amended to read as follows:
12 6 8. TREASURER OF STATE
12 7 For transfer to the watershed improvement review
12 8 board created in section 466A.3 for grants associated
12 9 with ~~the construction and restoration of wetland~~
~~12 10 easements and flood prevention watershed improvement~~
12 11 projects:
12 12 \$ 2,000,000
12 13 Notwithstanding section 466A.5, moneys from the
12 14 appropriation in this subsection shall not be used for
12 15 administrative purposes.
12 16 Sec. 24. 2010 Iowa Acts, chapter 1184, section 14,
12 17 is amended to read as follows:
12 18 SEC. 14. There is appropriated from the ~~FY 2009~~
~~12 19 prison bonding fund created pursuant to section 12.79~~
12 20 rebuild Iowa infrastructure fund to the department
12 21 of corrections for the fiscal year beginning July 1,
12 22 2010, and ending June 30, 2011, the following amount,
12 23 or so much thereof as is necessary, to be used for
12 24 the purpose designated, notwithstanding section 8.57,
12 25 subsection 6, paragraph "c":
12 26 For ~~costs associated with the building of a new~~
~~12 27 Iowa State penitentiary at Fort Madison project~~
12 28 management costs at Fort Madison and Mitchellville
12 29 prisons, associated with construction projects at the
12 30 department:
12 31 \$ 322,500
12 32 The ~~appropriation made in this section constitutes~~
~~12 33 approval by the general assembly for the issuance of~~
~~12 34 bonds by the treasurer of state pursuant to section~~
~~12 35 12.80.~~
12 36 Sec. 25. 2010 Iowa Acts, chapter 1184, section 16,
12 37 is amended to read as follows:
12 38 SEC. 16. There is appropriated from the Iowa
12 39 comprehensive petroleum underground storage tank fund
12 40 to the department of transportation for the fiscal year
12 41 beginning July 1, 2010, and ending June 30, 2011, the
12 42 following amount, or so much thereof as is necessary,
12 43 to be used for the purposes designated:
12 44 Notwithstanding section 455G.3, subsection 1, for
12 45 deposit in the passenger rail service revolving fund
12 46 created in section 327J.2:
12 47 \$ 2,000,000
12 48 500,000
12 49 ~~Such funds shall be coupled with the remaining~~
~~12 50 unobligated balance of up to one million five hundred~~



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~~13 1 thousand dollars from the appropriation made in 2009~~
~~13 2 Iowa Acts, chapter 184, section 1, subsection 12,~~
~~13 3 paragraph "a", for a total commitment of three million~~
~~13 4 five hundred thousand dollars for the fiscal year~~
~~13 5 beginning July 1, 2010, and ending June 30, 2011,~~
~~13 6 for matching federal funding available through the~~
~~13 7 Passenger Rail Investment and Improvement Act of 2008.~~
13 8 Sec. 26. 2010 Iowa Acts, chapter 1184, section 37,
13 9 is amended to read as follows:
13 10 SEC. 37. SITE DEVELOPMENT CONSULTATIONS
13 11 APPROPRIATION.
13 12 There is appropriated from the school infrastructure
13 13 fund created in section 12.82 to the department of
13 14 economic development for the fiscal year beginning
13 15 July 1, 2010, and ending June 30, 2011, the following
13 16 amount, or so much thereof as is necessary, to be used
13 17 for the purposes designated:
13 18 For providing site development consultations
13 19 pursuant to section 15E.18, including salaries,
13 20 support, maintenance, miscellaneous purposes, and
13 21 for not more than the following full-time equivalent
13 22 positions, notwithstanding section 12.82, subsection 1:
13 23 \$ 175,000
13 24 FTEs 1.00
13 25 Of the moneys appropriated to the department
13 26 pursuant to this section, the department may allocate
13 27 up to \$75,000 for purposes of contracting with third
13 28 parties to provide site development consultations.
13 29 Sec. 27. 2010 Iowa Acts, chapter 1184, section 39,
13 30 is amended to read as follows:
13 31 SEC. 39. BUSINESS ASSISTANCE INTERNET SITE
13 32 APPROPRIATION.
13 33 There is appropriated from the school infrastructure
13 34 fund created in section 12.82 to the department of
13 35 economic development for the fiscal year beginning
13 36 July 1, 2010, and ending June 30, 2011, the following
13 37 amount, or so much thereof as is necessary, to be used
13 38 for the purposes designated:
13 39 For purposes of creating a business assistance
13 40 internet site, notwithstanding section 12.82,
13 41 subsection 1:
13 42 \$ 20,000
13 43 Sec. 28. 2010 Iowa Acts, chapter 1184, section 43,
13 44 is amended to read as follows:
13 45 SEC. 43. SAVE OUR SMALL BUSINESSES FUND
13 46 APPROPRIATION.
13 47 There is appropriated from the school infrastructure
13 48 fund created in section 12.82 to the department of
13 49 economic development for deposit in the save our small
13 50 businesses fund for the fiscal year beginning July 1,



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14 1 2010, and ending June 30, 2011, the following amount,
14 2 or so much thereof as is necessary, to be used for the
14 3 purposes designated, notwithstanding section 12.82,
14 4 subsection 1:

14 5 For purposes of providing financial assistance under
14 6 the save our small businesses program under section
14 7 15.301:
14 8 \$ 5,000,000
14 9 Of the moneys appropriated pursuant to this section,
14 10 the department may allocate an amount not to exceed
14 11 two percent of the moneys appropriated for purposes of
14 12 retaining the services of an organization designated
14 13 pursuant to section 15.301, subsection 2, paragraph
14 14 "b".
14 15 Sec. 29. 2010 Iowa Acts, chapter 1193, section 6,
14 16 is amended to read as follows:
14 17 SEC. 6. INSTRUCTIONAL SUPPORT STATE AID ==
14 18 APPROPRIATION. In lieu of the appropriation provided
14 19 in section 257.20, there is appropriated from the
14 20 school infrastructure fund created in section 12.82,
14 21 subsection 1, to the department of education for the
14 22 fiscal year beginning July 1, 2010, and ending June 30,
14 23 2011, the following amount, or so much thereof as is
14 24 necessary, to be used for the purposes designated:
14 25 For paying instructional support state aid for
14 26 fiscal year 2010=2011, notwithstanding section 12.82,
14 27 subsection 1:

14 28 \$ 7,500,000
14 29 Notwithstanding section 257.20, subsection 3, the
14 30 appropriation made in this lettered paragraph shall
14 31 be allocated in the same manner as the allocation of
14 32 the appropriation was made for the same purpose in the
14 33 previous fiscal year.
14 34 Sec. 30. EFFECTIVE UPON ENACTMENT. This division
14 35 of this Act, being deemed of immediate importance,
14 36 takes effect upon enactment.>
14 37 #2. By renumbering as necessary.

HUSEMAN of Cherokee
HF648.2218 (9) 84
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PAG LIN

1 1 Amend House File 646 as follows:
1 2 #1. Page 1, before line 1 by inserting:
1 3 <DIVISION I
1 4 FY 2011=2012>
1 5 #2. Page 3, line 9, by striking <\$905,468> and
1 6 inserting <\$935,529>
1 7 #3. Page 6, after line 2 by inserting:
1 8 <(3) In addition to the funds otherwise
1 9 appropriated to the division in subparagraph (1), and
1 10 contingent upon the enactment of legislation during the
1 11 2011 legislative session relating to the permitting,
1 12 licensing, construction, and operation of nuclear
1 13 generation facilities and establishing rate-making
1 14 principles in relation thereto, for salaries, support,
1 15 maintenance, and miscellaneous purposes, and for not
1 16 more than the following full-time equivalent positions:
1 17 \$ 500,000
1 18 FTEs 3.50
1 19 #4. Page 9, line 7, by striking <\$3,400,541> and
1 20 inserting <\$3,525,541>
1 21 #5. By striking page 22, line 26, through page 23,
1 22 line 3.
1 23 #6. Page 23, after line 9 by inserting:
1 24 <DIVISION II
1 25 FY 2012=2013
1 26 Sec. _____. DEPARTMENT OF ADMINISTRATIVE SERVICES.
1 27 1. There is appropriated from the general fund of
1 28 the state to the department of administrative services
1 29 for the fiscal year beginning July 1, 2012, and ending
1 30 June 30, 2013, the following amounts, or so much
1 31 thereof as is necessary, to be used for the purposes
1 32 designated, and for not more than the following
1 33 full-time equivalent positions:
1 34 a. For salaries, support, maintenance, and
1 35 miscellaneous purposes:
1 36 \$ 4,020,344
1 37 FTEs 84.18
1 38 b. For the payment of utility costs:
1 39 \$ 2,939,400
1 40 FTEs 1.00
1 41 Notwithstanding section 8.33, any excess funds
1 42 appropriated for utility costs in this lettered
1 43 paragraph shall not revert to the general fund of the
1 44 state at the end of the fiscal year but shall remain
1 45 available for expenditure for the purposes of this
1 46 lettered paragraph during the succeeding fiscal year.
1 47 c. For Terrace Hill operations:
1 48 \$ 405,914
1 49 FTEs 6.88
1 50 d. For the I3 distribution account:



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2 1 \$ 2,728,000
2 2 e. For operations and maintenance of the Iowa
2 3 building:
2 4 \$ 1,018,185
2 5 FTEs 4.00
2 6 2. Members of the general assembly serving as
2 7 members of the deferred compensation advisory board
2 8 shall be entitled to receive per diem and necessary
2 9 travel and actual expenses pursuant to section 2.10,
2 10 subsection 5, while carrying out their official duties
2 11 as members of the board.
2 12 3. Any funds and premiums collected by the
2 13 department for workers' compensation shall be
2 14 segregated into a separate workers' compensation
2 15 fund in the state treasury to be used for payment of
2 16 state employees' workers' compensation claims and
2 17 administrative costs. Notwithstanding section 8.33,
2 18 unencumbered or unobligated moneys remaining in this
2 19 workers' compensation fund at the end of the fiscal
2 20 year shall not revert but shall be available for
2 21 expenditure for purposes of the fund for subsequent
2 22 fiscal years.
2 23 Sec. _____. REVOLVING FUNDS. There is appropriated
2 24 to the department of administrative services for the
2 25 fiscal year beginning July 1, 2012, and ending June
2 26 30, 2013, from the revolving funds designated in
2 27 chapter 8A and from internal service funds created
2 28 by the department such amounts as the department
2 29 deems necessary for the operation of the department
2 30 consistent with the requirements of chapter 8A.
2 31 Sec. _____. FUNDING FOR IOWACCESS.
2 32 1. Notwithstanding section 321A.3, subsection
2 33 1, for the fiscal year beginning July 1, 2012, and
2 34 ending June 30, 2013, the first \$750,000 collected
2 35 and transferred by the department of transportation
2 36 to the treasurer of state with respect to the fees
2 37 for transactions involving the furnishing of a
2 38 certified abstract of a vehicle operating record under
2 39 section 321A.3, subsection 1, shall be transferred
2 40 to the IowAccess revolving fund for the purposes of
2 41 developing, implementing, maintaining, and expanding
2 42 electronic access to government records as provided by
2 43 law.
2 44 2. All fees collected with respect to transactions
2 45 involving IowAccess shall be deposited in the IowAccess
2 46 revolving fund and shall be used only for the support
2 47 of IowAccess projects.
2 48 Sec. _____. STATE EMPLOYEE HEALTH INSURANCE
2 49 ADMINISTRATION CHARGE. For the fiscal year beginning
2 50 July 1, 2012, and ending June 30, 2013, the monthly per



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3 1 contract administrative charge which may be assessed by
3 2 the department of administrative services shall be \$2
3 3 per contract on all health insurance plans administered
3 4 by the department.

3 5 Sec. _____. AUDITOR OF STATE.

3 6 1. There is appropriated from the general fund of
3 7 the state to the office of the auditor of state for the
3 8 fiscal year beginning July 1, 2012, and ending June 30,
3 9 2013, the following amount, or so much thereof as is
3 10 necessary, to be used for the purposes designated, and
3 11 for not more than the following full-time equivalent
3 12 positions:

3 13 For salaries, support, maintenance, and
3 14 miscellaneous purposes:

3 15	\$	935,529
3 16	FTEs	103.00

3 17 2. The auditor of state may retain additional
3 18 full-time equivalent positions as is reasonable and
3 19 necessary to perform governmental subdivision audits
3 20 which are reimbursable pursuant to section 11.20
3 21 or 11.21, to perform audits which are requested by
3 22 and reimbursable from the federal government, and
3 23 to perform work requested by and reimbursable from
3 24 departments or agencies pursuant to section 11.5A
3 25 or 11.5B. The auditor of state shall notify the
3 26 department of management, the legislative fiscal
3 27 committee, and the legislative services agency of the
3 28 additional full-time equivalent positions retained.

3 29 Sec. _____. IOWA ETHICS AND CAMPAIGN DISCLOSURE
3 30 BOARD. There is appropriated from the general fund of
3 31 the state to the Iowa ethics and campaign disclosure
3 32 board for the fiscal year beginning July 1, 2012, and
3 33 ending June 30, 2013, the following amount, or so much
3 34 thereof as is necessary, for the purposes designated:

3 35 For salaries, support, maintenance, and
3 36 miscellaneous purposes, and for not more than the
3 37 following full-time equivalent positions:

3 38	\$	475,000
3 39	FTEs	5.00

3 40 Sec. _____. DEPARTMENT OF COMMERCE.

3 41 1. There is appropriated from the general fund
3 42 of the state to the department of commerce for the
3 43 fiscal year beginning July 1, 2012, and ending June 30,
3 44 2013, the following amounts, or so much thereof as is
3 45 necessary, for the purposes designated:

3 46 a. ALCOHOLIC BEVERAGES DIVISION

3 47 For salaries, support, maintenance, and
3 48 miscellaneous purposes, and for not more than the
3 49 following full-time equivalent positions:

3 50	\$	1,220,391
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4 1 FTEs	21.00
4 2	b. PROFESSIONAL LICENSING AND REGULATION BUREAU	
4 3	For salaries, support, maintenance, and	
4 4	miscellaneous purposes, and for not more than the	
4 5	following full=time equivalent positions:	
4 6	..... \$	609,353
4 7	..... FTEs	12.00
4 8	2. There is appropriated from the department of	
4 9	commerce revolving fund created in section 546.12	
4 10	to the department of commerce for the fiscal year	
4 11	beginning July 1, 2012, and ending June 30, 2013, the	
4 12	following amounts, or so much thereof as is necessary,	
4 13	for the purposes designated:	
4 14	a. BANKING DIVISION	
4 15	For salaries, support, maintenance, and	
4 16	miscellaneous purposes, and for not more than the	
4 17	following full=time equivalent positions:	
4 18	..... \$	8,851,670
4 19	..... FTEs	80.00
4 20	b. CREDIT UNION DIVISION	
4 21	For salaries, support, maintenance, and	
4 22	miscellaneous purposes, and for not more than the	
4 23	following full=time equivalent positions:	
4 24	..... \$	1,727,995
4 25	..... FTEs	19.00
4 26	c. INSURANCE DIVISION	
4 27	(1) For salaries, support, maintenance, and	
4 28	miscellaneous purposes, and for not more than the	
4 29	following full=time equivalent positions:	
4 30	..... \$	4,983,244
4 31	..... FTEs	106.50
4 32	(2) The insurance division may reallocate	
4 33	authorized full=time equivalent positions as necessary	
4 34	to respond to accreditation recommendations or	
4 35	requirements. The insurance division expenditures	
4 36	for examination purposes may exceed the projected	
4 37	receipts, refunds, and reimbursements, estimated	
4 38	pursuant to section 505.7, subsection 7, including the	
4 39	expenditures for retention of additional personnel,	
4 40	if the expenditures are fully reimbursable and the	
4 41	division first does both of the following:	
4 42	(a) Notifies the department of management, the	
4 43	legislative services agency, and the legislative fiscal	
4 44	committee of the need for the expenditures.	
4 45	(b) Files with each of the entities named in	
4 46	subparagraph division (a) the legislative and	
4 47	regulatory justification for the expenditures, along	
4 48	with an estimate of the expenditures.	
4 49	d. UTILITIES DIVISION	
4 50	(1) For salaries, support, maintenance, and	



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5 1 miscellaneous purposes, and for not more than the
5 2 following full-time equivalent positions:
5 3 \$ 8,173,069
5 4 FTEs 79.00
5 5 (2) The utilities division may expend additional
5 6 funds, including funds for additional personnel, if
5 7 those additional expenditures are actual expenses which
5 8 exceed the funds budgeted for utility regulation and
5 9 the expenditures are fully reimbursable. Before the
5 10 division expends or encumbers an amount in excess of
5 11 the funds budgeted for regulation, the division shall
5 12 first do both of the following:
5 13 (a) Notify the department of management, the
5 14 legislative services agency, and the legislative fiscal
5 15 committee of the need for the expenditures.
5 16 (b) File with each of the entities named in
5 17 subparagraph division (a) the legislative and
5 18 regulatory justification for the expenditures, along
5 19 with an estimate of the expenditures.
5 20 (3) In addition to the funds otherwise appropriated
5 21 to the division in subparagraph (1), and contingent
5 22 upon the enactment of legislation during the 2011
5 23 legislative session relating to the permitting,
5 24 licensing, construction, and operation of nuclear
5 25 generation facilities and establishing rate-making
5 26 principles in relation thereto, for salaries, support,
5 27 maintenance, and miscellaneous purposes, and for not
5 28 more than the following full-time equivalent positions:
5 29 \$ 750,000
5 30 FTEs 5.00
5 31 3. CHARGES. Each division and the office of
5 32 consumer advocate shall include in its charges
5 33 assessed or revenues generated an amount sufficient
5 34 to cover the amount stated in its appropriation and
5 35 any state-assessed indirect costs determined by the
5 36 department of administrative services.
5 37 Sec. _____. DEPARTMENT OF COMMERCE ==== PROFESSIONAL
5 38 LICENSING AND REGULATION BUREAU. There is appropriated
5 39 from the housing trust fund of the Iowa finance
5 40 authority created in section 16.181, to the bureau of
5 41 professional licensing and regulation of the banking
5 42 division of the department of commerce for the fiscal
5 43 year beginning July 1, 2012, and ending June 30,
5 44 2013, the following amount, or so much thereof as is
5 45 necessary, to be used for the purposes designated:
5 46 For salaries, support, maintenance, and
5 47 miscellaneous purposes:
5 48 \$ 62,317
5 49 Sec. _____. GOVERNOR AND LIEUTENANT GOVERNOR. There
5 50 is appropriated from the general fund of the state to



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6 1 the offices of the governor and the lieutenant governor
6 2 for the fiscal year beginning July 1, 2012, and ending
6 3 June 30, 2013, the following amounts, or so much
6 4 thereof as is necessary, to be used for the purposes
6 5 designated:

6 6 1. GENERAL OFFICE
6 7 For salaries, support, maintenance, and
6 8 miscellaneous purposes for the general office of the
6 9 governor and the general office of the lieutenant
6 10 governor, and for not more than the following full=time
6 11 equivalent positions:
6 12 \$ 2,063,492
6 13 FTEs 21.00

6 14 2. TERRACE HILL QUARTERS
6 15 For salaries, support, maintenance, and
6 16 miscellaneous purposes for the governor's quarters
6 17 at Terrace Hill, and for not more than the following
6 18 full=time equivalent positions:
6 19 \$ 124,533
6 20 FTEs 1.88

6 21 Sec. ____ GOVERNOR'S OFFICE OF DRUG CONTROL
6 22 POLICY. There is appropriated from the general fund
6 23 of the state to the governor's office of drug control
6 24 policy for the fiscal year beginning July 1, 2012, and
6 25 ending June 30, 2013, the following amount, or so much
6 26 thereof as is necessary, to be used for the purposes
6 27 designated:

6 28 For salaries, support, maintenance, and
6 29 miscellaneous purposes, including statewide
6 30 coordination of the drug abuse resistance education
6 31 (D.A.R.E.) programs or similar programs, and for not
6 32 more than the following full=time equivalent positions:
6 33 \$ 326,043
6 34 FTEs 8.00

6 35 Sec. ____ DEPARTMENT OF HUMAN RIGHTS. There is
6 36 appropriated from the general fund of the state to
6 37 the department of human rights for the fiscal year
6 38 beginning July 1, 2012, and ending June 30, 2013, the
6 39 following amounts, or so much thereof as is necessary,
6 40 to be used for the purposes designated:

6 41 1. CENTRAL ADMINISTRATION DIVISION
6 42 For salaries, support, maintenance, and
6 43 miscellaneous purposes, and for not more than the
6 44 following full=time equivalent positions:
6 45 \$ 235,890
6 46 FTEs 7.00

6 47 2. COMMUNITY ADVOCACY AND SERVICES DIVISION
6 48 For salaries, support, maintenance, and
6 49 miscellaneous purposes, and for not more than the
6 50 following full=time equivalent positions:



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7 1 \$ 570,135
7 2 FTEs 17.00
7 3 3. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
7 4 For salaries, support, maintenance, and
7 5 miscellaneous purposes, and for not more than the
7 6 following full-time equivalent positions:
7 7 \$ 1,023,892
7 8 FTEs 10.00
7 9 The criminal and juvenile justice planning advisory
7 10 council and the juvenile justice advisory council
7 11 shall coordinate their efforts in carrying out their
7 12 respective duties relative to juvenile justice.
7 13 Sec. ____ DEPARTMENT OF INSPECTIONS AND
7 14 APPEALS. There is appropriated from the general fund
7 15 of the state to the department of inspections and
7 16 appeals for the fiscal year beginning July 1, 2012, and
7 17 ending June 30, 2013, the following amounts, or so much
7 18 thereof as is necessary, for the purposes designated:
7 19 1. ADMINISTRATION DIVISION
7 20 For salaries, support, maintenance, and
7 21 miscellaneous purposes, and for not more than the
7 22 following full-time equivalent positions:
7 23 \$ 1,537,715
7 24 FTEs 37.40
7 25 2. ADMINISTRATIVE HEARINGS DIVISION
7 26 For salaries, support, maintenance, and
7 27 miscellaneous purposes, and for not more than the
7 28 following full-time equivalent positions:
7 29 \$ 528,753
7 30 FTEs 23.00
7 31 3. INVESTIGATIONS DIVISION
7 32 a. For salaries, support, maintenance, and
7 33 miscellaneous purposes, and for not more than the
7 34 following full-time equivalent positions:
7 35 \$ 1,168,639
7 36 FTEs 58.50
7 37 b. The department, in coordination with the
7 38 investigations division, shall provide a report to
7 39 the general assembly by January 10, 2013, concerning
7 40 the fiscal impact of additional full-time equivalent
7 41 positions on the department's efforts relative to the
7 42 Medicaid divestiture program under chapter 249F.
7 43 4. HEALTH FACILITIES DIVISION
7 44 a. For salaries, support, maintenance, and
7 45 miscellaneous purposes, and for not more than the
7 46 following full-time equivalent positions:
7 47 \$ 3,525,541
7 48 FTEs 134.75
7 49 b. The department shall, in coordination with
7 50 the health facilities division, make the following



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8 1 information available to the public in a timely
8 2 manner, to include providing the information on the
8 3 department's internet website, during the fiscal year
8 4 beginning July 1, 2012, and ending June 30, 2013:

8 5 (1) The number of inspections conducted by the
8 6 division annually by type of service provider and type
8 7 of inspection.

8 8 (2) The total annual operations budget for the
8 9 division, including general fund appropriations and
8 10 federal contract dollars received by type of service
8 11 provider inspected.

8 12 (3) The total number of full-time equivalent
8 13 positions in the division, to include the number of
8 14 full-time equivalent positions serving in a supervisory
8 15 capacity, and serving as surveyors, inspectors, or
8 16 monitors in the field by type of service provider
8 17 inspected.

8 18 (4) Identification of state and federal survey
8 19 trends, cited regulations, the scope and severity of
8 20 deficiencies identified, and federal and state fines
8 21 assessed and collected concerning nursing and assisted
8 22 living facilities and programs.

8 23 c. It is the intent of the general assembly that
8 24 the department and division continuously solicit input
8 25 from facilities regulated by the division to assess and
8 26 improve the division's level of collaboration and to
8 27 identify new opportunities for cooperation.

8 28 5. EMPLOYMENT APPEAL BOARD

8 29 a. For salaries, support, maintenance, and
8 30 miscellaneous purposes, and for not more than the
8 31 following full-time equivalent positions:

8 32	\$	42,215
8 33	FTEs	14.00

8 34 b. The employment appeal board shall be reimbursed
8 35 by the labor services division of the department
8 36 of workforce development for all costs associated
8 37 with hearings conducted under chapter 91C, related
8 38 to contractor registration. The board may expend,
8 39 in addition to the amount appropriated under this
8 40 subsection, additional amounts as are directly billable
8 41 to the labor services division under this subsection
8 42 and to retain the additional full-time equivalent
8 43 positions as needed to conduct hearings required
8 44 pursuant to chapter 91C.

8 45 6. CHILD ADVOCACY BOARD

8 46 a. For foster care review and the court appointed
8 47 special advocate program, including salaries, support,
8 48 maintenance, and miscellaneous purposes, and for not
8 49 more than the following full-time equivalent positions:

8 50	\$	2,404,771
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9 1 FTEs 40.80
9 2 b. The department of human services, in
9 3 coordination with the child advocacy board and the
9 4 department of inspections and appeals, shall submit an
9 5 application for funding available pursuant to Tit. IV=E
9 6 of the federal Social Security Act for claims for child
9 7 advocacy board administrative review costs.
9 8 c. The court appointed special advocate program
9 9 shall investigate and develop opportunities for
9 10 expanding fund=raising for the program.
9 11 d. Administrative costs charged by the department
9 12 of inspections and appeals for items funded under this
9 13 subsection shall not exceed 4 percent of the amount
9 14 appropriated in this subsection.
9 15 Sec. _____. DEPARTMENT OF INSPECTIONS AND APPEALS
9 16 ==== MUNICIPAL CORPORATION FOOD INSPECTIONS. For the
9 17 fiscal year beginning July 1, 2012, and ending June 30,
9 18 2013, the department of inspections and appeals shall
9 19 retain any license fees generated during the fiscal
9 20 year as a result of actions under section 137F.3A
9 21 occurring during the period beginning July 1, 2009, and
9 22 ending June 30, 2012, for the purpose of enforcing the
9 23 provisions of chapters 137C, 137D, and 137F.
9 24 Sec. _____. DEPARTMENT OF INSPECTIONS AND APPEALS ====
9 25 HEALTH CARE FACILITIES INSPECTIONS. Notwithstanding
9 26 any provision of section 135C.16 to the contrary,
9 27 inspections of health care facilities that are only
9 28 state=licensed and not certified under the Medicare
9 29 or Medicaid programs shall not be inspected by the
9 30 department of inspections and appeals every thirty
9 31 months, but only as provided pursuant to sections
9 32 135C.9 and 135C.38.
9 33 Sec. _____. RACING AND GAMING COMMISSION.
9 34 1. RACETRACK REGULATION
9 35 There is appropriated from the gaming regulatory
9 36 revolving fund established in section 99F.20 to the
9 37 racing and gaming commission of the department of
9 38 inspections and appeals for the fiscal year beginning
9 39 July 1, 2012, and ending June 30, 2013, the following
9 40 amount, or so much thereof as is necessary, to be used
9 41 for the purposes designated:
9 42 For salaries, support, maintenance, and
9 43 miscellaneous purposes for the regulation of
9 44 pari=mutuel racetracks, and for not more than the
9 45 following full=time equivalent positions:
9 46 \$ 2,511,440
9 47 FTEs 28.53
9 48 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION
9 49 There is appropriated from the gaming regulatory
9 50 revolving fund established in section 99F.20 to the



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10 1 racing and gaming commission of the department of
10 2 inspections and appeals for the fiscal year beginning
10 3 July 1, 2012, and ending June 30, 2013, the following
10 4 amount, or so much thereof as is necessary, to be used
10 5 for the purposes designated:
10 6 For salaries, support, maintenance, and
10 7 miscellaneous purposes for administration and
10 8 enforcement of the excursion boat gambling and gambling
10 9 structure laws, and for not more than the following
10 10 full-time equivalent positions:
10 11 \$ 3,078,100
10 12 FTEs 44.22
10 13 Sec. _____. ROAD USE TAX FUND APPROPRIATION ====

10 14 DEPARTMENT OF INSPECTIONS AND APPEALS. There is
10 15 appropriated from the road use tax fund created in
10 16 section 312.1 to the administrative hearings division
10 17 of the department of inspections and appeals for the
10 18 fiscal year beginning July 1, 2012, and ending June 30,
10 19 2013, the following amount, or so much thereof as is
10 20 necessary, for the purposes designated:
10 21 For salaries, support, maintenance, and
10 22 miscellaneous purposes:
10 23 \$ 1,623,897
10 24 Sec. _____. DEPARTMENT OF MANAGEMENT.

10 25 1. There is appropriated from the general fund
10 26 of the state to the department of management for the
10 27 fiscal year beginning July 1, 2012, and ending June 30,
10 28 2013, the following amounts, or so much thereof as is
10 29 necessary, to be used for the purposes designated:
10 30 For salaries, support, maintenance, and
10 31 miscellaneous purposes, and for not more than the
10 32 following full-time equivalent positions:
10 33 \$ 2,163,998
10 34 FTEs 25.00
10 35 2. Of the moneys appropriated in this section, the
10 36 department shall use a portion for enterprise resource
10 37 planning, providing for a salary model administrator,
10 38 conducting performance audits, and for the department's
10 39 LEAN process.

10 40 Sec. _____. ROAD USE TAX APPROPRIATION ==== DEPARTMENT
10 41 OF MANAGEMENT. There is appropriated from the road use
10 42 tax fund created in section 312.1 to the department
10 43 of management for the fiscal year beginning July 1,
10 44 2012, and ending June 30, 2013, the following amount,
10 45 or so much thereof as is necessary, to be used for the
10 46 purposes designated:
10 47 For salaries, support, maintenance, and
10 48 miscellaneous purposes:
10 49 \$ 56,000
10 50 Sec. _____. DEPARTMENT OF REVENUE.



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11 1 1. There is appropriated from the general fund
11 2 of the state to the department of revenue for the
11 3 fiscal year beginning July 1, 2012, and ending June 30,
11 4 2013, the following amounts, or so much thereof as is
11 5 necessary, to be used for the purposes designated:
11 6 For salaries, support, maintenance, and
11 7 miscellaneous purposes, and for not more than the
11 8 following full-time equivalent positions:
11 9 \$ 17,615,484
11 10 FTEs 303.48
11 11 2. Of the funds appropriated pursuant to this
11 12 section, \$400,000 shall be used to pay the direct
11 13 costs of compliance related to the collection and
11 14 distribution of local sales and services taxes imposed
11 15 pursuant to chapters 423B and 423E.
11 16 3. The director of revenue shall prepare and issue
11 17 a state appraisal manual and the revisions to the
11 18 state appraisal manual as provided in section 421.17,
11 19 subsection 17, without cost to a city or county.
11 20 Sec. _____. MOTOR VEHICLE FUEL TAX
11 21 APPROPRIATION. There is appropriated from the motor
11 22 fuel tax fund created by section 452A.77 to the
11 23 department of revenue for the fiscal year beginning
11 24 July 1, 2012, and ending June 30, 2013, the following
11 25 amount, or so much thereof as is necessary, to be used
11 26 for the purposes designated:
11 27 For salaries, support, maintenance, miscellaneous
11 28 purposes, and for administration and enforcement of the
11 29 provisions of chapter 452A and the motor vehicle use
11 30 tax program:
11 31 \$ 1,305,775
11 32 Sec. _____. SECRETARY OF STATE.
11 33 1. There is appropriated from the general fund of
11 34 the state to the office of the secretary of state for
11 35 the fiscal year beginning July 1, 2012, and ending June
11 36 30, 2013, the following amounts, or so much thereof as
11 37 is necessary, to be used for the purposes designated:
11 38 For salaries, support, maintenance, and miscellaneous
11 39 purposes, and for not more than the following full-time
11 40 equivalent positions:
11 41 \$ 2,895,585
11 42 FTEs 45.00
11 43 2. The state department or state agency which
11 44 provides data processing services to support voter
11 45 registration file maintenance and storage shall provide
11 46 those services without charge.
11 47 Sec. _____. SECRETARY OF STATE FILING FEES REFUND.
11 48 Notwithstanding the obligation to collect fees pursuant
11 49 to the provisions of section 490.122, subsection 1,
11 50 paragraphs "a" and "s", and section 504.113, subsection



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12 1 1, paragraphs "a", "c", "d", "j", "k", "l", and
12 2 "m", for the fiscal year beginning July 1, 2012, the
12 3 secretary of state may refund these fees to the filer
12 4 pursuant to rules established by the secretary of
12 5 state. The decision of the secretary of state not to
12 6 issue a refund under rules established by the secretary
12 7 of state is final and not subject to review pursuant
12 8 to chapter 17A.
12 9 Sec. _____. TREASURER.
12 10 1. There is appropriated from the general fund of
12 11 the state to the office of treasurer of state for the
12 12 fiscal year beginning July 1, 2012, and ending June 30,
12 13 2013, the following amount, or so much thereof as is
12 14 necessary, to be used for the purposes designated:
12 15 For salaries, support, maintenance, and
12 16 miscellaneous purposes, and for not more than the
12 17 following full-time equivalent positions:
12 18 \$ 854,289
12 19 FTEs 28.80
12 20 2. The office of treasurer of state shall supply
12 21 clerical and secretarial support for the executive
12 22 council.
12 23 Sec. _____. ROAD USE TAX APPROPRIATION ==== OFFICE
12 24 OF TREASURER OF STATE. There is appropriated from
12 25 the road use tax fund created in section 312.1 to
12 26 the office of treasurer of state for the fiscal year
12 27 beginning July 1, 2012, and ending June 30, 2013, the
12 28 following amount, or so much thereof as is necessary,
12 29 to be used for the purposes designated:
12 30 For enterprise resource management costs related to
12 31 the distribution of road use tax funds:
12 32 \$ 93,148
12 33 Sec. _____. IPERS ==== GENERAL OFFICE. There is
12 34 appropriated from the Iowa public employees' retirement
12 35 system fund to the Iowa public employees' retirement
12 36 system for the fiscal year beginning July 1, 2012, and
12 37 ending June 30, 2013, the following amount, or so much
12 38 thereof as is necessary, to be used for the purposes
12 39 designated:
12 40 For salaries, support, maintenance, and other
12 41 operational purposes to pay the costs of the Iowa
12 42 public employees' retirement system, and for not more
12 43 than the following full-time equivalent positions:
12 44 \$ 17,686,968
12 45 FTEs 90.13>
12 46 #7. By renumbering as necessary.

WATTS of Dallas
HF646.2103 (2) 84
rn/tm



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Senate Amendment 3192

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 1 through 17 and
1 4 inserting:
1 5 <Sec. _____. Section 717A.1, Code 2011, is amended by
1 6 adding the following new subsection:
1 7 NEW SUBSECTION. 1A. "Agricultural animal facility"
1 8 or "facility" means a location where an agricultural
1 9 animal is maintained, including but not limited to a
1 10 location dedicated to farming as defined in section
1 11 9H.1, a livestock market, or an exhibition.
1 12 Sec. _____. Section 717A.1, subsection 2, Code 2011,
1 13 is amended to read as follows:
1 14 2. "Agricultural production" means any activity
1 15 related to maintaining an agricultural animal at
1 16 an agricultural animal facility or a crop on crop
1 17 operation property.
1 18 Sec. _____. Section 717A.1, subsections 3 and 4, Code
1 19 2011, are amended by striking the subsections.>
1 20 #2. By striking page 1, line 25, through page 2,
1 21 line 1, and inserting:
1 22 <Sec. _____. Section 717A.1, subsection 9, paragraph
1 23 a, Code 2011, is amended to read as follows:
1 24 a. For an agricultural animal maintained at an
1 25 agricultural animal facility or property ~~belonging~~

1 26 ~~to kept at an agricultural animal facility, "deprive"~~
1 27 means to do any of the following:
1 28 (1) Withhold the agricultural animal or property
1 29 for a period of time sufficient to significantly reduce
1 30 the value or enjoyment of the agricultural animal or
1 31 property.
1 32 (2) Withhold the agricultural animal or
1 33 property for ransom or upon condition to restore
1 34 the agricultural animal or property in return for
1 35 compensation.
1 36 (3) Dispose of the agricultural animal or property
1 37 in a manner that makes recovery of the agricultural
1 38 animal or property by its owner unlikely.
1 39 Sec. _____. Section 717A.1, subsection 10, paragraph
1 40 a, Code 2011, is amended to read as follows:
1 41 a. Keep and provide for the care and feeding of any
1 42 agricultural animal, including any activity relating
1 43 to confining, handling, breeding, transporting, or
1 44 exhibiting the animal.>
1 45 #3. Page 2, by striking line 5 and inserting <a
1 46 legal interest in an agricultural animal maintained at
1 47 the agricultural animal facility>

1 48 #4. Page 2, line 6, before <animal> by inserting
1 49 <agricultural>
1 50 #5. Page 2, line 25, by striking <Animal> and



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Senate Amendment 3192 continued

2 1 inserting <Agricultural animal>
2 2 #6. Page 2, line 26, by striking <animal> and
2 3 inserting <agricultural animal>
2 4 #7. Page 2, line 27, by striking <animal> and
2 5 inserting <agricultural animal>
2 6 #8. Page 2, line 29, by striking <animal> and
2 7 inserting <agricultural animal>
2 8 #9. Page 2, by striking line 33 and inserting:
2 9 <___. Kill or injure an agricultural animal
2 10 maintained at the agricultural animal>
2 11 #10. Page 3, line 3, by striking <animal> and
2 12 inserting <agricultural animal>
2 13 #11. Page 3, line 4, by striking <animal> and
2 14 inserting <agricultural animal>
2 15 #12. Page 3, line 5, by striking <animal> and
2 16 inserting <agricultural animal>
2 17 #13. Page 3, line 7, by striking <animal> and
2 18 inserting <agricultural animal>
2 19 #14. Page 3, line 9, by striking <animal> and
2 20 inserting <agricultural animal>
2 21 #15. Page 3, line 11, by striking <Animal> and
2 22 inserting <Agricultural animal>
2 23 #16. Page 3, line 13, by striking <animal> and
2 24 inserting <agricultural animal>
2 25 #17. Page 3, line 14, by striking <animal> and
2 26 inserting <agricultural animal>
2 27 #18. Page 3, line 16, by striking <Animal> and
2 28 inserting <Agricultural animal>
2 29 #19. Page 3, line 18, by striking <animal> and
2 30 inserting <agricultural animal>
2 31 #20. Page 3, line 20, by striking <animal> and
2 32 inserting <agricultural animal>
2 33 #21. Page 3, line 22, by striking <Animal> and
2 34 inserting <Agricultural animal>
2 35 #22. Page 3, line 24, by striking <animal> and
2 36 inserting <agricultural animal>
2 37 #23. Page 3, line 26, by striking <animal> and
2 38 inserting <agricultural animal>
2 39 #24. Page 3, line 28, by striking <Animal> and
2 40 inserting <Agricultural animal>
2 41 #25. Page 3, line 30, by striking <animal> and
2 42 inserting <agricultural animal>
2 43 #26. Page 3, line 32, by striking <animal> and
2 44 inserting <agricultural animal>
2 45 #27. Page 3, line 34, by striking <Animal> and
2 46 inserting <Agricultural animal>
2 47 #28. Page 4, line 1, by striking <animal> and
2 48 inserting <agricultural animal>
2 49 #29. Page 4, line 2, by striking <animal> and
2 50 inserting <agricultural animal>



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Senate Amendment 3192 continued

3 1 #30. Page 4, line 5, by striking <animal> and
3 2 inserting <agricultural animal>
3 3 #31. Page 4, line 8, by striking <animal> and
3 4 inserting <agricultural animal>
3 5 #32. Page 4, line 9, by striking <animal> and
3 6 inserting <agricultural animal>
3 7 #33. Page 4, line 12, by striking <animal> and
3 8 inserting <agricultural animal>
3 9 #34. Page 4, line 15, by striking <Animal> and
3 10 inserting <Agricultural animal>
3 11 #35. Page 4, line 16, by striking <animal> and
3 12 inserting <agricultural animal>
3 13 #36. Page 4, line 17, by striking <animal> and
3 14 inserting <agricultural animal>
3 15 #37. Page 4, line 20, by striking <animal> and
3 16 inserting <agricultural animal>
3 17 #38. Page 4, line 22, by striking <animal> and
3 18 inserting <agricultural animal>
3 19 #39. Page 4, line 24, by striking <animal> and
3 20 inserting <agricultural animal>
3 21 #40. Page 4, line 27, by striking <animal> and
3 22 inserting <agricultural animal>
3 23 #41. Page 4, by striking lines 29 through 31.
3 24 #42. Page 4, line 32, by striking <animal> and
3 25 inserting <agricultural animal>
3 26 #43. Page 4, by striking line 33 and inserting
3 27 <agricultural animal maintained at the agricultural
3 28 animal facility or other property>
3 29 #44. Page 4, by striking line 34 and inserting <kept
3 30 at the agricultural animal facility, with intent to
3 31 deprive the agricultural animal>
3 32 #45. Page 4, line 35, by striking <animal> and
3 33 inserting <agricultural animal>
3 34 #46. Page 5, by striking line 1 and inserting:
3 35 <____. Enter onto the agricultural animal facility,
3 36 or remain at the agricultural animal>
3 37 #47. Page 5, line 3, by striking <animal> and
3 38 inserting <agricultural animal>
3 39 #48. Page 5, line 9, by striking <animals> and
3 40 inserting <agricultural animals>
3 41 #49. Page 5, line 12, by striking <animal> and
3 42 inserting <agricultural animal>
3 43 #50. Page 5, line 18, by striking <animal> and
3 44 inserting <agricultural animal>
3 45 #51. Page 5, line 20, by striking <Animal> and
3 46 inserting <Agricultural animal>
3 47 #52. Page 5, line 21, by striking <animal> and
3 48 inserting <agricultural animal>
3 49 #53. Page 5, line 23, by striking <animal> and
3 50 inserting <agricultural animal>



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Senate Amendment 3192 continued

4 1 #54. Page 5, line 25, by striking <animal> and
4 2 inserting <agricultural animal>
4 3 #55. Page 5, line 27, by striking <animal> and
4 4 inserting <agricultural animal>
4 5 #56. Page 5, line 30, by striking <animal> and
4 6 inserting <agricultural animal>
4 7 #57. Page 5, line 31, by striking <animal> and
4 8 inserting <agricultural animal>
4 9 #58. Page 6, line 2, by striking <animal> and
4 10 inserting <agricultural animal>
4 11 #59. Page 6, by striking lines 4 through 6.
4 12 #60. Page 6, line 7, by striking <Animal> and
4 13 inserting <Agricultural animal>
4 14 #61. Page 6, line 10, by striking <animal> and
4 15 inserting <agricultural animal>
4 16 #62. Page 6, line 11, by striking <animal> and
4 17 inserting <agricultural animal>
4 18 #63. Page 6, line 21, by striking <Animal> and
4 19 inserting <Agricultural animal>
4 20 #64. Page 6, line 24, by striking <animal> and
4 21 inserting <agricultural animal>
4 22 #65. Page 6, by striking line 25 and inserting
4 23 <agricultural animal maintained at the agricultural
4 24 animal facility, or other property>
4 25 #66. Page 6, line 26, by striking <animal> and
4 26 inserting <agricultural animal>
4 27 #67. Page 6, by striking line 32 and inserting
4 28 <action involving an agricultural animal facility, an
4 29 agricultural animal maintained at>
4 30 #68. Page 6, by striking line 33 and inserting <the
4 31 agricultural animal facility, or other property kept
4 32 at the agricultural animal>
4 33 #69. Page 11, after line 3 by inserting:
4 34 <Sec. _____. Section 717A.4, subsection 1, Code 2011,
4 35 is amended to read as follows:
4 36 1. Except as provided in subsection 2, a person
4 37 shall not willfully possess, transport, or transfer a
4 38 pathogen with an intent to threaten the health of an
4 39 agricultural animal or crop.
4 40 a. For agricultural animals, a pathogen restricted
4 41 under this section shall be limited to a biological
4 42 agent or toxin listed in 9 C.F.R. { 121.2(b), as that
4 43 list exists on January 1, 2004.
4 44 b. For crops, a pathogen restricted under this
4 45 section shall be limited to a biological agent or toxin
4 46 listed in 7 C.F.R. { 331.3, as that list exists on
4 47 January 1, 2004.>
4 48 #70. By renumbering as necessary.

MATT McCOY
HF589.1751 (1) 84
da/rj



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Iowa General Assembly
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Senate Amendment 3193

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 135P.1 Recordings at
1 5 pregnancy termination locations.
1 6 As used in this chapter, unless the context
1 7 otherwise requires:
1 8 1. "Pregnancy termination location" means a
1 9 hospital, clinic, or other facility where a health care
1 10 provider who induces a termination of pregnancy is
1 11 required to file a report with the department of public
1 12 health as provided in chapter 144.
1 13 2. "Record" means the same as defined in section
1 14 717A.1.
1 15 Sec. _____. NEW SECTION. 135P.2 Pregnancy
1 16 termination location ==== interference.
1 17 A person is guilty of pregnancy termination location
1 18 interference, if the person acts without the consent
1 19 of the owner of a pregnancy termination location to
1 20 willfully do any of the following:
1 21 1. Produce a record which reproduces an image or
1 22 sound occurring at the medical facility as follows:
1 23 a. The record must be created by the person while
1 24 at the medical facility.
1 25 b. The record must be a reproduction of a visual or
1 26 audio experience occurring at the pregnancy termination
1 27 location, including but not limited to a photographic
1 28 or audio medium.
1 29 2. Possess or distribute a record which reproduces
1 30 an image or sound occurring at the pregnancy
1 31 termination location which was produced as provided in
1 32 subsection 1.
1 33 Sec. _____. NEW SECTION. 135P.3 Pregnancy
1 34 termination location interference ==== penalties.
1 35 1. A person who commits the offense of pregnancy
1 36 termination location interference is guilty of the
1 37 following:
1 38 a. For the first conviction, the person is guilty
1 39 of an aggravated misdemeanor.
1 40 b. For the second or subsequent conviction, the
1 41 person is guilty of a class "D" felony.
1 42 2. A person who commits the offense of pregnancy
1 43 termination location interference is subject to an
1 44 order of restitution as provided in chapter 910.>
1 45 #2. Title page, line 1, by striking <agricultural
1 46 operations,> and inserting <locations,>
1 47 #3. By renumbering as necessary.



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Senate Amendment 3194

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 11, after line 3 by inserting:
1 4 <Sec. _____. Section 717B.3A, subsection 3, paragraph
1 5 a, subparagraphs (1) and (2), Code 2011, are amended
1 6 to read as follows:
1 7 (1) For the first or a subsequent conviction, the
1 8 person is guilty of ~~an aggravated misdemeanor~~ a class
1 9 "D" felony. The sentencing order shall provide that
1 10 the person submit to psychological evaluation and
1 11 treatment according to terms required by the court.
1 12 The costs of the evaluation and treatment shall be
1 13 paid by the person. In addition, the sentencing order
1 14 shall provide that the person complete a community
1 15 work requirement, which may include a work requirement
1 16 performed at an animal shelter or pound, as defined
1 17 in section 162.2, according to terms required by the
1 18 court.
1 19 (2) For a second or subsequent conviction,
1 20 the ~~person is guilty of a class "D" felony. The~~
1 21 sentencing order shall provide that the person submit
1 22 to psychological evaluation and treatment according
1 23 to terms required by the court. The costs of the
1 24 psychological evaluation and treatment shall be paid
1 25 by the person.>
1 26 #2. Title page, line 1, after <involving> by
1 27 inserting <the maintenance of animals and crops
1 28 including those maintained at>
1 29 #3. By renumbering as necessary.

MATT McCOY
HF589.1750 (2) 84
da/rj



Iowa General Assembly
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Senate Amendment 3195

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 717.2, subsection 2, Code 2011,
1 5 is amended to read as follows:
1 6 2. A person who commits the offense of livestock
1 7 neglect is guilty of a ~~simple~~ serious misdemeanor.
1 8 A person who intentionally commits the offense of
1 9 livestock neglect which results in serious injury
1 10 to or the death of livestock is guilty of a ~~serious~~
~~1 11 an aggravated~~ misdemeanor. ~~However, a person shall~~
~~1 12 not be guilty of more than one offense of livestock~~
~~1 13 neglect punishable as a serious misdemeanor, when~~
~~1 14 care or sustenance is not provided to multiple head of~~
~~1 15 livestock during any period of uninterrupted neglect.>~~
1 16 #2. By renumbering as necessary.

MATT McCOY
HF589.1741 (2) 84
da/rj



Iowa General Assembly
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Senate Amendment 3196

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 11, after line 3 by inserting:
1 4 <Sec. _____. Section 717B.2, unnumbered paragraph 1,
1 5 Code 2011, is amended to read as follows:
1 6 A person is guilty of animal abuse if the person
1 7 intentionally injures, maims, disfigures, or destroys
1 8 an animal owned by another person, in any manner,
1 9 including intentionally poisoning the animal. A person
1 10 guilty of animal abuse is guilty of ~~an aggravated~~
~~1 11 misdemeanor~~ a class "D" felony. This section shall not
1 12 apply to any of the following:>
1 13 #2. Title page, line 1, after <involving> by
1 14 inserting <animals and crops including those maintained
1 15 at>
1 16 #3. By renumbering as necessary.

MATT McCOY
HF589.1740 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3197

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 5, by striking lines 24 and 25 and
1 4 inserting <for the purpose of committing an unlawful
1 5 act.>
1 6 #2. Page 5, by striking lines 27 through 30 and
1 7 inserting <an application to be employed at the animal
1 8 facility for the purpose of committing an unlawful
1 9 act.>

MATT McCOY
HF589.1743 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3198

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 7, after line 2 by inserting:
1 4 <____. An animal shelter as defined in section
1 5 162.2.
1 6 _____. A representative of a nonprofit organization
1 7 present for the purpose of informing the public of an
1 8 illegal activity observed at the animal facility.>
1 9 #2. By renumbering as necessary.

MATT McCOY
HF589.1747 (1) 84
da/rj



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Senate Amendment 3199

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 162.2, Code 2011, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 10A. "Covered dog" means an
1 7 individual belonging to the species of canis lupus
1 8 familiars, or a resultant hybrid, that is more than six
1 9 months old and has its sexual organs intact.
1 10 Sec. 2. NEW SECTION. 162.9B Limits imposed upon
1 11 the number of covered dogs possessed for breeding and
1 12 sale.
1 13 A person shall not have possession of more than
1 14 fifty covered dogs for purposes of breeding the covered
1 15 dogs and selling the offspring produced from the
1 16 covered dogs.>
1 17 #2. Title page, line 1, after <involving> by
1 18 inserting <the maintenance of animals and crops
1 19 including those maintained at commercial establishments
1 20 and>
1 21 #3. By renumbering as necessary.

MATT McCOY
HF589.1742 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3200

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 717.1, subsection 2, Code 2011,
1 5 is amended to read as follows:
1 6 2. "Livestock" means an animal belonging to the
1 7 bovine, caprine, ~~equine~~, ovine, or porcine species,
1 8 ostriches, rheas, emus; farm deer as defined in section
1 9 170.1; or poultry.>
1 10 #2. By renumbering as necessary.

MATT McCOY
HF589.1748 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3201

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 717.1, Code 2011, is amended by
1 5 adding the following new subsection:
1 6 NEW SUBSECTION. 01. "Egg=laying hen" means any
1 7 domesticated chicken, turkey, duck, goose, or guinea
1 8 fowl kept for purposes of egg production.
1 9 Sec. 2. NEW SECTION. 717.3 Confinement of
1 10 egg=laying hens ==== penalty.
1 11 1. In addition, to other applicable provisions of
1 12 this chapter, a person shall not tether or confine
1 13 an egg=laying hen as part of an animal facility as
1 14 provided in chapter 717A, for all or the majority of
1 15 any day, in a manner that prevents such egg=laying
1 16 hen from lying down, standing up, fully extending its
1 17 wings, or turning around freely.
1 18 2. A person who violates this section is guilty of
1 19 a serious misdemeanor.>
1 20 #2. Page 11, after line 3 by inserting:
1 21 <Sec. _____. EFFECTIVE DATES.
1 22 1. Except as provided in subsection 2, this Act
1 23 takes effect on July 1, 2011.
1 24 2. The sections of this Act amending section 717.1
1 25 and enacting section 717.3 take effect January 1,
1 26 2017.>
1 27 #3. Title page, line 2, by striking <and providing>
1 28 and inserting <providing>
1 29 #4. Title page, line 2, after <remedies> by
1 30 inserting <, and including effective date provisions>
1 31 #5. By renumbering as necessary.

MATT McCOY
HF589.1745 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3202

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. Section 717.1A, unnumbered paragraph 1,
1 5 Code 2011, is amended to read as follows:
1 6 A person is guilty of livestock abuse if the
1 7 person intentionally injures or destroys livestock
1 8 owned by another person, in any manner, including,
1 9 but not limited to, intentionally doing any of the
1 10 following: administering drugs or poisons to the
1 11 livestock, or disabling the livestock by using a
1 12 firearm or trap. A person guilty of livestock abuse
1 13 commits ~~an aggravated misdemeanor~~ a class "D" felony.
1 14 This section shall not apply to any of the following:>
1 15 #2. By renumbering as necessary.

MATT McCOY
HF589.1746 (2) 84
da/rj



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Senate Amendment 3203

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 11, after line 3 by inserting:
1 4 <Sec. _____. Section 717B.1, Code 2011, is amended by
1 5 adding the following new subsections:
1 6 NEW SUBSECTION. 2A. "Animal shelter" means the
1 7 same as defined in section 162.2.
1 8 NEW SUBSECTION. 3A. "Commercial establishment"
1 9 means the same as defined in section 162.2.
1 10 NEW SUBSECTION. 3B. "Department" means the
1 11 department of agriculture and land stewardship.
1 12 Sec. _____. NEW SECTION. 717B.3B Investigative and
1 13 enforcement proceedings.
1 14 The department shall qualify animal shelters to
1 15 provide investigatory services under this section.
1 16 An inspection officer designated by the qualified
1 17 animal shelter shall be appointed by the department as
1 18 an animal warden under chapter 162. The inspection
1 19 officer may inspect the premises of a commercial
1 20 establishment upon the officer's own information or
1 21 upon complaint to determine if there is a violation
1 22 of this chapter. If the inspection officer has
1 23 reasonable cause to believe a violation exists and
1 24 remains uncorrected more than thirty days after
1 25 a written notice of the violation, the inspection
1 26 officer shall file a report with the department and
1 27 the county attorney in the county where the commercial
1 28 establishment is located. The department, the attorney
1 29 general, the county attorney, or the qualified animal
1 30 shelter may bring an action in district court to
1 31 restrain the commercial establishment from continuing
1 32 the violation. A person who fails to comply with the
1 33 court's order within ten days shall be subject to a
1 34 civil penalty of not more than one thousand dollars.
1 35 Civil penalties collected under this section shall be
1 36 deposited in the general fund of the state.>
1 37 #2. Title page, line 1, after <involving> by
1 38 inserting <the maintenance of animals and crops
1 39 including those maintained at commercial establishments
1 40 and>
1 41 #3. By renumbering as necessary.

MATT McCOY
HF589.1749 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3204

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 11, after line 3 by inserting:
1 4 <Sec. _____. Section 717B.3, subsection 3, Code 2011,
1 5 is amended to read as follows:
1 6 3. A person who negligently or intentionally
1 7 commits the offense of animal neglect is guilty of a
1 8 ~~simple~~ serious misdemeanor. A person who intentionally
1 9 commits the offense of animal neglect which results in
1 10 serious injury to or the death of an animal is guilty
1 11 of ~~a serious~~ an aggravated misdemeanor.>
1 12 #2. Title page, line 1, after <involving> by
1 13 inserting <the maintenance of animals and crops
1 14 including those maintained at>
1 15 #3. By renumbering as necessary.

MATT McCOY
HF589.1744 (1) 84
da/rj



Iowa General Assembly
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Senate Amendment 3205

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 135P.1 Recordings at
1 5 pregnancy termination locations.
1 6 As used in this chapter, unless the context
1 7 otherwise requires:
1 8 1. "Pregnancy termination location" means a
1 9 hospital, clinic, or other facility where a health care
1 10 provider who induces a termination of pregnancy is
1 11 required to file a report with the department of public
1 12 health as provided in chapter 144.
1 13 2. "Record" means the same as defined in section
1 14 717A.1.
1 15 Sec. _____. NEW SECTION. 135P.2 Pregnancy
1 16 termination location ==== interference.
1 17 A person is guilty of pregnancy termination location
1 18 interference, if the person acts without the consent
1 19 of the owner of a pregnancy termination location to
1 20 willfully do any of the following:
1 21 1. Produce a record which reproduces an image or
1 22 sound occurring at the pregnancy termination location
1 23 as follows:
1 24 a. The record must be created by the person while
1 25 at the pregnancy termination location.
1 26 b. The record must be a reproduction of a visual or
1 27 audio experience occurring at the pregnancy termination
1 28 location, including but not limited to a photographic
1 29 or audio medium.
1 30 2. Possess or distribute a record which reproduces
1 31 an image or sound occurring at the pregnancy
1 32 termination location which was produced as provided in
1 33 subsection 1.
1 34 Sec. _____. NEW SECTION. 135P.3 Pregnancy
1 35 termination location interference ==== penalties.
1 36 1. A person who commits the offense of pregnancy
1 37 termination location interference is guilty of the
1 38 following:
1 39 a. For the first conviction, the person is guilty
1 40 of an aggravated misdemeanor.
1 41 b. For the second or subsequent conviction, the
1 42 person is guilty of a class "D" felony.
1 43 2. A person who commits the offense of pregnancy
1 44 termination location interference is subject to an
1 45 order of restitution as provided in chapter 910.>
1 46 #2. Title page, line 1, by striking <agricultural
1 47 operations,> and inserting <locations,>
1 48 #3. By renumbering as necessary.



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Senate Amendment 3206

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 135P.1 Recordings at
1 5 medical facilities.
1 6 As used in this chapter, unless the context
1 7 otherwise requires:
1 8 1. "Medical facility" means a hospital, clinic, or
1 9 other facility where a licensed health care provider
1 10 provides health care services.
1 11 2. "Record" means the same as defined in section
1 12 717A.1.
1 13 Sec. _____. NEW SECTION. 135P.2 Medical facility ====
1 14 interference.
1 15 A person is guilty of medical facility interference,
1 16 if the person acts without the consent of the owner
1 17 of the medical facility to willfully do any of the
1 18 following:
1 19 1. Produce a record which reproduces an image or
1 20 sound occurring at the medical facility as follows:
1 21 a. The record must be created by the person while
1 22 at the medical facility.
1 23 b. The record must be a reproduction of a visual
1 24 or audio experience occurring at the medical facility,
1 25 including but not limited to a photographic or audio
1 26 medium.
1 27 2. Possess or distribute a record which reproduces
1 28 an image or sound occurring at the medical facility
1 29 which was produced as provided in subsection 1.
1 30 Sec. _____. NEW SECTION. 135P.3 Medical facility
1 31 interference ==== penalties.
1 32 1. A person who commits the offense of medical
1 33 facility interference is guilty of the following:
1 34 a. For the first conviction, the person is guilty
1 35 of an aggravated misdemeanor.
1 36 b. For the second or subsequent conviction, the
1 37 person is guilty of a class "D" felony.
1 38 2. A person who commits the offense of medical
1 39 facility interference is subject to an order of
1 40 restitution as provided in chapter 910.>
1 41 #2. Title page, line 1, by striking <agricultural
1 42 operations,> and inserting <locations,>
1 43 #3. By renumbering as necessary.

MATT McCOY
HF589.1932 (1) 84
da/rj



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Senate Amendment 3207

PAG LIN

1 1 Amend House File 493, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. By striking everything after the enacting clause
1 4 and inserting:
1 5 <Section 1. NEW SECTION. 70A.27 Leave of absence
1 6 for charge of a crime ==== civil penalty.
1 7 1. For the purposes of this section:
1 8 a. "Convicted" means convicted of an indictable
1 9 offense and includes a guilty plea or other finding of
1 10 guilt by a court of competent jurisdiction.
1 11 b. "Public employee" means any individual employed
1 12 by a public employer. "Public employee" includes heads
1 13 of executive branch agencies.
1 14 c. "Public employer" means the state, its boards,
1 15 commissions, agencies, and departments, and its
1 16 political subdivisions including school districts and
1 17 other special purpose districts. "Public employer"
1 18 includes the general assembly and the governor.
1 19 2. a. A public employee on a leave of absence
1 20 with full or partial compensation because the public
1 21 employee is charged, by indictment or information,
1 22 with the commission of a public offense classified as
1 23 a class "D" felony or greater offense shall pay to
1 24 the public employer employing the public employee a
1 25 civil penalty equal to the cash wages that the public
1 26 employee received during the period of the leave of
1 27 absence if the public employee is convicted of a public
1 28 offense classified as a class "D" felony or greater
1 29 offense.
1 30 b. A public employee shall pay to the public
1 31 employer employing the public employee a civil
1 32 penalty equal to any payments that the public employee
1 33 received pursuant to the terms of the public employee's
1 34 employment contract that result from the termination
1 35 of the contract, if the termination was caused by the
1 36 employee being charged, by indictment or information,
1 37 with the commission of a public offense classified as a
1 38 class "D" felony or greater offense, and if the public
1 39 employee is convicted of a public offense classified as
1 40 a class "D" felony or greater offense.>
1 41 #2. Title page, by striking lines 1 through 4 and
1 42 inserting <An Act requiring public employees charged
1 43 with a felony to pay a civil penalty equal to the cash
1 44 wages received during a paid leave of absence and any
1 45 contract termination payments if convicted.>

COMMITTEE ON EDUCATION
HERMAN C. QUIRMBACH, CHAIRPERSON
HF493.2190 (4) 84
je/nh



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Senate Amendment 3208

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 459.606 Violations ==
1 5 criminal penalty.
1 6 Notwithstanding any provisions of this chapter to
1 7 the contrary, a person who violates section 459.311 or
1 8 a condition of a permit concerning the discharge of
1 9 manure into water of the state is guilty of a class "C"
1 10 felony.>
1 11 #2. By renumbering as necessary.

MATT McCOY
HF589.2219 (2) 84
da/rj



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Senate Amendment 3209

PAG LIN

1 1 Amend House File 589, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, before line 1 by inserting:
1 4 <Section 1. NEW SECTION. 459A.503 Violations ==
1 5 criminal penalty.
1 6 Notwithstanding any provisions of this chapter to
1 7 the contrary, a person who violates this chapter or
1 8 a condition of a permit concerning the discharge of
1 9 manure or settled open feedlot effluent into water of
1 10 the state is guilty of a class "C" felony.>
1 11 #2. By renumbering as necessary.

MATT McCOY
HF589.2220 (2) 84
da/rj



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Senate Amendment 3210

PAG LIN

1 1 Amend House File 597, as amended, passed, and
1 2 reprinted by the House, as follows:
1 3 #1. Page 1, by striking lines 26 through 29 and
1 4 inserting <of coverage documents as excluded from
1 5 coverage.>

COMMITTEE ON COMMERCE
SWATI DANDEKAR, CHAIRPERSON
HF597.2182 (2) 84
av/nh



Iowa General Assembly
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Senate Study Bill 1205

SENATE FILE

BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act establishing a property tax credit for certain
2 commercial, industrial, and railway property, providing
3 penalties, and including applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
TLSB 1908XC (29) 84
md/sc



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Senate Study Bill 1205 continued

PAG LIN

1 1 Section 1. Section 331.512, Code 2011, is amended by adding
1 2 the following new subsection:
1 3 NEW SUBSECTION. 13A. Carry out duties relating to the
1 4 business property tax credit as provided in chapter 426C.
1 5 Sec. 2. Section 331.559, Code 2011, is amended by adding the
1 6 following new subsection:
1 7 NEW SUBSECTION. 14A. Carry out duties relating to the
1 8 business property tax credit as provided in chapter 426C.
1 9 Sec. 3. NEW SECTION. 426C.1 Definitions.
1 10 For the purposes of this chapter, unless the context
1 11 otherwise requires:
1 12 1. "Contiguous parcels" means any of the following:
1 13 a. Parcels that share a common boundary.
1 14 b. Parcels within the same building or structure regardless
1 15 of whether the parcels share a common boundary.
1 16 c. Improvements to the land that are situated on one or more
1 17 parcels of land that are assessed and taxed separately from the
1 18 improvements if the parcels of land upon which the improvements
1 19 are situated share a common boundary.
1 20 2. "Department" means the department of revenue.
1 21 3. "Fund" means the business property tax credit fund
1 22 created in section 426C.2.
1 23 4. "Parcel" means as defined in section 445.1.
1 24 5. "Property unit" means contiguous parcels all of which
1 25 are located within the same county, with the same property tax
1 26 classification, each of which contains permanent improvements,
1 27 are owned by the same person, and are operated by that person
1 28 for a common use and purpose.
1 29 Sec. 4. NEW SECTION. 426C.2 Business property tax credit
1 30 fund ==== appropriation.
1 31 1. A business property tax credit fund is created in the
1 32 state treasury under the authority of the department. For the
1 33 fiscal year beginning July 1, 2012, there is appropriated from
1 34 the general fund of the state to the department to be credited
1 35 to the fund, the sum of fifty million dollars to be used for



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2 1 business property tax credits authorized in this chapter. For
2 2 the fiscal year beginning July 1, 2013, and each fiscal year
2 3 thereafter, there is appropriated from the general fund of the
2 4 state to the department to be credited to the fund an amount
2 5 equal to the total amount appropriated by the general assembly
2 6 to the fund in the previous fiscal year. In addition, the sum
2 7 of fifty million dollars shall be added to the appropriation
2 8 in each fiscal year beginning on or after July 1, 2013, if
2 9 the revenue estimating conference certifies during its final
2 10 meeting of the calendar year ending prior to the beginning of
2 11 the fiscal year that the total amount of general fund revenues
2 12 collected during the fiscal year ending during such calendar
2 13 year was at least one hundred four percent of the total amount
2 14 of general fund revenues collected during the previous fiscal
2 15 year. However, the total appropriation to the fund shall not
2 16 exceed two hundred million dollars for any one fiscal year.
2 17 2. Notwithstanding section 12C.7, subsection 2, interest or
2 18 earnings on moneys deposited in the fund shall be credited to
2 19 the fund. Moneys in the fund are not subject to the provisions
2 20 of section 8.33 and shall not be transferred, used, obligated,
2 21 appropriated, or otherwise encumbered except as provided in
2 22 this chapter.
2 23 Sec. 5. NEW SECTION. 426C.3 Claims for credit.
2 24 1. Each person who wishes to claim the credit allowed
2 25 under this chapter shall obtain the appropriate forms from the
2 26 assessor and file the claim with the assessor. The director
2 27 of revenue shall prescribe suitable forms and instructions for
2 28 such claims, and make such forms and instructions available to
2 29 the assessors.
2 30 2. a. Claims for the business property tax credit shall be
2 31 filed not later than March 15 preceding the fiscal year during
2 32 which the taxes for which the credit is claimed are due and
2 33 payable.
2 34 b. A claim filed after the deadline for filing claims shall
2 35 be considered as a claim for the following year.



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3 1 3. Upon the filing of a claim and allowance of the credit,
3 2 the credit shall be allowed on the parcel or property unit for
3 3 successive years without further filing as long as the parcel
3 4 or property unit satisfies the requirements for the credit. If
3 5 the parcel or property unit owner ceases to qualify for the
3 6 credit under this chapter, the owner shall provide written
3 7 notice to the assessor by the date for filing claims specified
3 8 in subsection 2 following the date on which the parcel or
3 9 property unit ceases to qualify for the credit.
3 10 4. When all or a portion of a parcel or property unit that
3 11 is allowed a credit under this chapter is sold, transferred,
3 12 or ownership otherwise changes, the buyer, transferee, or new
3 13 owner who wishes to receive the credit shall refile the claim
3 14 for credit. When a portion of a parcel or property unit that
3 15 is allowed a credit under this chapter is sold, transferred,
3 16 or ownership otherwise changes, the owner of the portion of
3 17 the parcel or property unit for which ownership did not change
3 18 shall refile the claim for credit.
3 19 5. The assessor shall remit the claims for credit to the
3 20 county auditor with the assessor's recommendation for allowance
3 21 or disallowance. If the assessor recommends disallowance
3 22 of a claim, the assessor shall submit the reasons for the
3 23 recommendation, in writing, to the county auditor. The county
3 24 auditor shall forward the claims to the board of supervisors.
3 25 The board shall allow or disallow the claims.
3 26 6. For each claim and allowance of a credit for a property
3 27 unit, the county auditor shall calculate the average of all
3 28 consolidated levy rates applicable to the several parcels
3 29 within the property unit. All claims for credit which have
3 30 been allowed by the board of supervisors, the actual value of
3 31 the improvements to such parcels and property units applicable
3 32 to the fiscal year for which the credit is claimed that are
3 33 subject to assessment and taxation prior to imposition of any
3 34 applicable assessment limitation, the consolidated levy rates
3 35 for such parcels and the average consolidated levy rates for



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Senate Study Bill 1205 continued

4 1 such property units applicable to the fiscal year for which the
4 2 credit is claimed, and the taxing districts in which the parcel
4 3 or property unit is located, shall be certified on or before
4 4 June 30, in each year, by the county auditor to the department.

4 5 7. The assessor shall maintain a permanent file of current
4 6 business property tax credits. The assessor shall file a
4 7 notice of transfer of property for which a credit has been
4 8 allowed when notice is received from the office of the county
4 9 recorder, from the person who sold or transferred the property,
4 10 or from the personal representative of a deceased property
4 11 owner. The county recorder shall give notice to the assessor
4 12 of each transfer of title filed in the recorder's office. The
4 13 notice from the county recorder shall describe the property
4 14 transferred, the name of the person transferring title to the
4 15 property, and the name of the person to whom title to the
4 16 property has been transferred.

4 17 Sec. 6. NEW SECTION. 426C.4 Eligibility and amount of
4 18 credit.

4 19 1. Each parcel classified and taxed as commercial property,
4 20 industrial property, or railway property under chapter 434,
4 21 and improved with permanent construction, is eligible for a
4 22 credit under this chapter. A person may claim and receive one
4 23 credit under this chapter for each eligible parcel unless the
4 24 parcel is part of a property unit. A person may only claim and
4 25 receive one credit under this chapter for each property unit.
4 26 A credit approved for a property unit shall be allocated to the
4 27 several parcels within the property unit in the proportion that
4 28 each parcel's total amount of property taxes due and payable
4 29 attributable to the improvements bears to the total amount of
4 30 property taxes due and payable attributable to the improvements
4 31 for the property unit. Only property units comprised of
4 32 commercial property, comprised of industrial property, or
4 33 comprised of railway property under chapter 434 are eligible
4 34 for a credit under this chapter.

4 35 2. Using the actual value of the improvements and the



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5 1 consolidated levy rate for each parcel or the average
5 2 consolidated levy rate for each property unit, as certified
5 3 by the county auditor to the department under section 426C.3,
5 4 subsection 6, the department shall calculate, for each fiscal
5 5 year, an initial amount of actual value of improvements for
5 6 use in determining the amount of the credit for each such
5 7 parcel or property unit so as to provide the maximum possible
5 8 credit according to the credit formula and limitations under
5 9 subsection 3, and to provide a total dollar amount of credits
5 10 against the taxes due and payable in the fiscal year equal to
5 11 ninety-eight percent of the moneys in the fund following the
5 12 deposit of the total appropriation for the fiscal year.
5 13 3. a. The amount of the credit for each parcel or property
5 14 unit for which a claim for credit under this chapter has
5 15 been approved shall be calculated under paragraph "b" using
5 16 the lesser of the initial amount of actual value of the
5 17 improvements determined by the department under subsection
5 18 2, and the actual value of the improvements to the parcel or
5 19 property unit as certified by the county auditor under section
5 20 426C.3, subsection 6.
5 21 b. The amount of the credit for each parcel or property
5 22 unit for which a claim for credit under this chapter has
5 23 been approved shall be equal to the amount of actual value
5 24 determined under paragraph "a" multiplied by the difference,
5 25 stated as a percentage, between the assessment limitation
5 26 applicable to the parcel or property unit under section 441.21,
5 27 subsection 5, and the assessment limitation applicable to
5 28 residential property under section 441.21, subsection 4,
5 29 divided by one thousand dollars, and then multiplied by the
5 30 consolidated levy rate or average consolidated levy rate for
5 31 one thousand dollars of taxable value applicable to the parcel
5 32 or property unit for the fiscal year for which the credit
5 33 is claimed as certified by the county auditor under section
5 34 426C.3, subsection 6.
5 35 Sec. 7. NEW SECTION. 426C.5 Payment to counties.



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6 1 1. Annually the department shall certify to the county
6 2 auditor of each county the amounts of the business property
6 3 tax credits allowed in the county. Each county auditor shall
6 4 then enter the credits against the tax levied on each eligible
6 5 parcel or property unit in the county, designating on the tax
6 6 lists the credit as being from the fund. Each taxing district
6 7 shall receive its share of the business property tax credit
6 8 allowed on each eligible parcel or property unit in such taxing
6 9 district, in the proportion that the levy made by such taxing
6 10 district upon the parcel or property unit bears to the total
6 11 levy upon the parcel or property unit by all taxing districts
6 12 imposing a property tax in such taxing district. However, the
6 13 several taxing districts shall not draw the moneys so credited
6 14 until after the semiannual allocations have been received by
6 15 the county treasurer, as provided in this section. Each county
6 16 treasurer shall show on each tax receipt the amount of credit
6 17 received from the fund.

6 18 2. The director of the department of administrative
6 19 services shall issue warrants on the fund payable to the county
6 20 treasurers of the several counties of the state under this
6 21 chapter.

6 22 3. The amount due each county shall be paid in two payments
6 23 on November 15 and March 15 of each fiscal year, drawn upon
6 24 warrants payable to the respective county treasurers. The two
6 25 payments shall be as nearly equal as possible.

6 26 Sec. 8. NEW SECTION. 426C.6 Appeals.

6 27 1. If the board of supervisors disallows a claim for credit
6 28 under section 426C.3, subsection 5, the board of supervisors
6 29 shall send written notice, by mail, to the claimant at the
6 30 claimant's last known address. The notice shall state the
6 31 reasons for disallowing the claim for the credit. The board
6 32 of supervisors is not required to send notice that a claim for
6 33 credit is disallowed if the claimant voluntarily withdraws the
6 34 claim. Any person whose claim is denied under the provisions
6 35 of this chapter may appeal from the action of the board of



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7 1 supervisors to the district court of the county in which the
7 2 parcel or property unit is located by giving written notice
7 3 of such appeal to the county auditor within twenty days from
7 4 the date of mailing of notice of such action by the board of
7 5 supervisors.

7 6 2. If any claim for credit has been denied by the board
7 7 of supervisors, and such action is subsequently reversed on
7 8 appeal, the credit shall be allowed on the applicable parcel
7 9 or property unit, and the director of revenue, the county
7 10 auditor, and the county treasurer shall provide the credit and
7 11 change their books and records accordingly. In the event the
7 12 appealing taxpayer has paid one or both of the installments of
7 13 the tax payable in the year or years in question, remittance
7 14 shall be made to such taxpayer of the amount of such credit.
7 15 The amount of such credit awarded on appeal shall be allocated
7 16 and paid from the balance remaining in the fund.

7 17 Sec. 9. NEW SECTION. 426C.7 Audit ==== denial.

7 18 1. If on the audit of a credit provided under this chapter,
7 19 the director of revenue determines the amount of the credit
7 20 to have been incorrectly calculated or that the credit is
7 21 not allowable, the director shall recalculate the credit and
7 22 notify the taxpayer and the county auditor of the recalculation
7 23 or denial and the reasons for it. The director shall not
7 24 adjust a credit after three years from October 31 of the year
7 25 in which the claim for the credit was filed. If the credit
7 26 has been paid, the director shall give notification to the
7 27 taxpayer, the county treasurer, and the applicable assessor
7 28 of the recalculation or denial of the credit and the county
7 29 treasurer shall proceed to collect the tax owed in the same
7 30 manner as other property taxes due and payable are collected,
7 31 if the parcel or property unit for which the credit was allowed
7 32 is still owned by the taxpayer. If the parcel or property unit
7 33 for which the credit was allowed is not owned by the taxpayer,
7 34 the amount may be recovered from the taxpayer by assessment in
7 35 the same manner that income taxes are assessed under sections



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8 1 422.26 and 422.30. The amount of such erroneous credit, when
8 2 collected, shall be deposited in the fund.
8 3 2. The taxpayer or board of supervisors may appeal any
8 4 decision of the director of revenue to the state board of tax
8 5 review pursuant to section 421.1, subsection 5. The taxpayer,
8 6 the board of supervisors, or the director of revenue may seek
8 7 judicial review of the action of the state board of tax review
8 8 in accordance with chapter 17A.
8 9 Sec. 10. NEW SECTION. 426C.8 False claim ==== penalty.
8 10 A person who makes a false claim for the purpose of obtaining
8 11 a credit provided for in this chapter or who knowingly receives
8 12 the credit without being legally entitled to it is guilty of a
8 13 fraudulent practice. The claim for a credit of such a person
8 14 shall be disallowed and if the credit has been paid the amount
8 15 shall be recovered in the manner provided in section 426C.7.
8 16 In such cases, the director of revenue shall send a notice of
8 17 disallowance of the credit.
8 18 Sec. 11. NEW SECTION. 426C.9 Rules.
8 19 The director of revenue shall prescribe forms, instructions,
8 20 and rules pursuant to chapter 17A, as necessary, to carry out
8 21 the purposes of this chapter.
8 22 Sec. 12. IMPLEMENTATION. Notwithstanding the deadline
8 23 for filing claims established in section 426C.3, for a credit
8 24 against property taxes due and payable during the fiscal year
8 25 beginning July 1, 2012, the claim for the credit shall be filed
8 26 not later than January 15, 2012.
8 27 Sec. 13. APPLICABILITY. This Act applies to property taxes
8 28 due and payable in fiscal years beginning on or after July 1,
8 29 2012.
8 30
8 31 EXPLANATION
8 32 This bill creates a business property tax credit under new
8 33 Code chapter 426C for property taxes due and payable in fiscal
8 34 years beginning on or after July 1, 2012.
8 35 The bill establishes a business property tax credit
8 36 fund. For the fiscal year beginning July 1, 2012, the



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9 1 bill appropriates from the general fund of the state to the
9 2 department of revenue for deposit in the fund, \$50 million.
9 3 For the fiscal year beginning July 1, 2013, and each fiscal
9 4 year thereafter, the bill appropriates from the general fund of
9 5 the state to the department of revenue for deposit in the fund
9 6 an amount equal to the total amount appropriated by the general
9 7 assembly to the fund in the previous fiscal year. In addition,
9 8 for fiscal years beginning on or after July 1, 2013, the bill
9 9 appropriates an additional sum of \$50 million to the fund if
9 10 the revenue estimating conference certifies that the total
9 11 amount of general fund revenues has grown by at least 4 percent
9 12 as compared to the previous fiscal year. The bill provides,
9 13 however, that the total appropriation to the fund shall not
9 14 exceed \$200 million in any one fiscal year. Under the bill,
9 15 interest or earnings on moneys deposited in the fund are
9 16 credited to the fund, moneys in the fund are not subject to the
9 17 provisions of Code section 8.33, and moneys in the fund shall
9 18 not be transferred, used, obligated, appropriated, or otherwise
9 19 encumbered except as provided in new Code chapter 426C.
9 20 The bill provides that each person who wishes to claim a
9 21 business property tax credit shall obtain the appropriate
9 22 forms from the assessor and file the claim with the assessor.
9 23 The director of revenue is required to prescribe suitable
9 24 forms and instructions for such claims, and make such forms
9 25 and instructions available to the assessors. The assessor
9 26 is required to remit the claims for credit to the county
9 27 auditor with the assessor's recommendation for allowance
9 28 or disallowance. If the assessor recommends disallowance
9 29 of a claim, the assessor shall submit the reasons for the
9 30 recommendation, in writing, to the county auditor. The county
9 31 auditor then forwards the claims to the board of supervisors.
9 32 The board is required to allow or disallow the claims. If
9 33 the board of supervisors disallows a claim for a credit, the
9 34 board of supervisors is required to send written notice, by
9 35 mail, to the claimant and the notice must state the reasons for



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10 1 disallowing the claim for the credit. Any person whose claim
10 2 for credit is denied may appeal from the action of the board of
10 3 supervisors to the district court of the county in which the
10 4 parcel or property unit is located.

10 5 Claims for the business property tax credit must be filed
10 6 not later than March 15 preceding the fiscal year during which
10 7 the property taxes for which the credit is claimed are due
10 8 and payable. However, the deadline for filing claims against
10 9 property taxes due and payable in the fiscal year beginning
10 10 July 1, 2012, is January 15, 2012.

10 11 Upon the filing of a claim and allowance of a business
10 12 property tax credit, the credit is allowed on the parcel or
10 13 property unit for successive years without further filing as
10 14 long as the parcel or property unit satisfies the requirements
10 15 for the credit. The owner is required to provide written
10 16 notice to the assessor when the parcel or property unit ceases
10 17 to qualify for the credit. The bill requires the assessor to
10 18 maintain a permanent file of current credits and also specifies
10 19 certain requirements for parcel or property unit owners,
10 20 assessors, and county recorders when all or a portion of such
10 21 parcels or property units are sold, transferred, or ownership
10 22 otherwise changes.

10 23 Under the bill, each parcel classified and taxed as
10 24 commercial property, industrial property, or railway
10 25 property under Code chapter 434, and improved with permanent
10 26 construction, is eligible for a business property tax credit.
10 27 A person may claim and receive one credit for each eligible
10 28 parcel unless the parcel is part of a property unit. The
10 29 bill defines "property unit" to mean contiguous parcels
10 30 located within the same county, with the same property tax
10 31 classification, each containing permanent improvements, owned
10 32 by the same person, and operated by that person for a common
10 33 use and purpose. A person may only claim and receive one
10 34 tax credit for each property unit. A credit approved for a
10 35 property unit is allocated to the several parcels within the



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11 1 property unit in the proportion that each parcel's property
11 2 tax liability on improvements bears to the total property tax
11 3 liability on improvements for the property unit. Only those
11 4 property units comprised of commercial property, comprised of
11 5 industrial property, or comprised of railway property under
11 6 Code chapter 434 are eligible for a credit.
11 7 The bill provides that all claims for credit which have been
11 8 allowed, the actual value of the improvements to the applicable
11 9 parcels and property units that are subject to assessment and
11 10 taxation, the consolidated levy rates or average consolidated
11 11 levy rates for such parcels and property units applicable to
11 12 the fiscal year for which the credit is claimed, and the taxing
11 13 districts in which each parcel or property unit is located,
11 14 shall be certified on or before June 30, in each year, by the
11 15 county auditor to the department of revenue.
11 16 The bill provides that using the actual value of the
11 17 improvements and the consolidated levy rate or average
11 18 consolidated levy rate for each parcel or property unit, as
11 19 certified by the county auditor, the department is required
11 20 to calculate, for each fiscal year, an initial amount of
11 21 actual value of improvements for use in determining the amount
11 22 of the credit for each approved parcel or property unit so
11 23 as to provide the maximum possible credit according to the
11 24 credit formula and limitations in the bill, and to provide a
11 25 total dollar amount of credits in the fiscal year equal to 98
11 26 percent of the moneys in the business property tax credit fund
11 27 following the deposit of the total appropriation for the fiscal
11 28 year.
11 29 The credit for each parcel or property unit for which a
11 30 claim for a business property tax credit has been approved is
11 31 calculated using the lesser of the initial amount of actual
11 32 value of the improvements determined by the department for
11 33 the fiscal year and the actual value of improvements to the
11 34 parcel or property unit as certified to the department of
11 35 revenue. The amount of the credit for each parcel or property



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12 1 unit is then calculated by multiplying the lesser amount of
12 2 actual value, so determined, by the difference, stated as
12 3 a percentage, between the assessment limitation applicable
12 4 to the parcel or property unit under Code section 441.21(5)
12 5 (commercial, industrial, and railway property tax rollback)
12 6 and the assessment limitation applicable to residential
12 7 property under Code section 441.21(4) (residential property
12 8 tax rollback), divided by \$1,000, and then multiplied by the
12 9 consolidated levy rate or average consolidated levy rate for
12 10 \$1,000 of taxable value applicable to the parcel or property
12 11 unit for the fiscal year for which the credit is claimed.
12 12 The bill specifies the procedures for the payment of the
12 13 amount of the business property tax credits to the county
12 14 treasurers and the resulting apportionment to the applicable
12 15 taxing districts. The bill also specifies the requirements
12 16 and procedures for an appeal of a denial of a claim for
12 17 credit, specifies the requirements and procedures for an audit
12 18 of a business property tax credit allowed, and specifies
12 19 requirements relating to the collection of property taxes
12 20 due as the result of an incorrectly calculated or improperly
12 21 approved credit.
12 22 The bill provides that a person who makes a false claim for
12 23 the purpose of obtaining a business property tax credit or who
12 24 knowingly receives the credit without being legally entitled
12 25 to it is guilty of a fraudulent practice and is subject to a
12 26 criminal penalty.
12 27 The bill requires the director of revenue to prescribe
12 28 forms, instructions, and rules pursuant to Code chapter 17A, as
12 29 necessary, to carry out the purposes of new Code chapter 426C.
12 30 The bill applies to property taxes due and payable in fiscal
12 31 years beginning on or after July 1, 2012.

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